



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



494282

SEP 19 2006

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

SE-5J/OPRS-SPCC

06-010

Mr. Donald Chutas
Plant Manager
Cargill Salt
916 S. Riverside Avenue
St. Clair, Michigan 48079

Dear Mr. Chutas:

After review of the revised Spill Prevention, Control and Countermeasure (SPCC) Plan (certified by David A. Lomas, 43178 MI, on August 29, 2006), it appears that your facility has met the minimum requirements of the Code of Federal Regulations (CFR), Title 40, Part 112 at this time.

We would like to remind you that the facility's plan should be reviewed every 5 years. Any material changes made in the facility's design, construction, operation or maintenance which affect the facility's ability to store or discharge oil into navigable waters of the United States, should be amended in the SPCC plan and certified by a registered Professional Engineer (PE).

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002. U.S. EPA further amended the regulation to extend the date for compliance with the requirements of Part 112.3 of the regulations to allow facility owners sufficient time to undertake the actions necessary to prepare and update their plans. The compliance date for both Plan amendment and implementation has been extended to October 31, 2007. Facilities that start operations between August 16, 2002 and October 31, 2007, must prepare and implement an SPCC Plan by October 31, 2007.

If you have any questions, feel free to contact Phillip Wicklein, SPCC Inspector Grantee, at 312/886-0185.

Sincerely,


William J. Bolen, Chief
Emergency Response Branch #1

Enclosure (Returning your SPCC Plan)

cc: Michigan Department of Environmental Quality

CS-042



Pollution Incident Prevention Plan (PIPP)

And

Spill Prevention Control and Countermeasure (SPCC),

And

Storm Water Pollution Prevention Plan (SWPPP)

Consolidated Plan

Prepared for:



**916 South Riverside Avenue
St. Clair, Michigan 48079**

**NTH Project No. 16-020568-01
December 3, 2004**

Reviewed & Revised: 8/17/05



PIP/SPCC/SWPP
Cargill Salt
St. Clair, Michigan

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- MDEQ Spill or Release Report
- Environmental Activity Report (EHS-101)
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- Bulk Material Loading & Unloading
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- Oil and Polluting Material Storage Table
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- Reference Sheets for PIPP, SPCC, SWPPP

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- Amendments and Annual Reports (to be filed here)



SPCC PLAN CERTIFICATION

Management Approval

This Spill Prevention, Control and Countermeasure (SPCC) plan has been found to be appropriate for and meets the needs of Cargill Salt, and is hereby adopted by the management of the facility. All the materials and all statements are true and accurate to the best of my knowledge and belief. This plan will be revised if there are significant changes in operations or procedures that could affect the potential for a spill. This plan will be reviewed and revised, if necessary, every five (5) years in accordance with the regulation in 40 CFR 112.

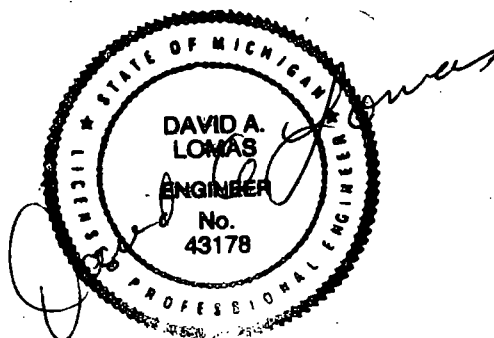
Signature: Donald J Chutas
Printed Name: Donald J Chutas
Title: Plant Manager
Date: 1/3/05

updates 8/17/05 DAH

Professional Engineer Certification

"I certify that I am familiar with the requirements of 40 CFR 112, Spill Prevention Control and Countermeasure Plan, and that I have visited the Cargill Salt Facility. This SPCC has been prepared in accordance with good engineering practices including consideration of applicable industry standards, and with requirements of the SPCC Rule. The procedures for required inspections and testing have been established. This SPCC plan is adequate for Cargill Salt Facility."

Signature: _____
Printed Name: David A. Lomas
PE No. 6201043178
Date: 12/03/04





Substantial Harm Criteria Certification

Facility Name: Cargill Salt
Facility Address: 916 South Riverside Avenue
St. Clair, Michigan 48079

1. Does the facility transfer oil over water and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?
Yes___ No X
2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and, within any storage area; does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within the aboveground storage tank area?
Yes___ No X
3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments?
Yes___ No X
4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake?
Yes___ No X
5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?
Yes___ No X

Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining information, I believe that the submitted information is true, accurate and complete.

Donald J. Chutas
Corporate Signature

Donald J. Chutas
Printed Name

Plant Manager
Title

1/3/05
Date



Non-Storm Water Discharges

The NPDES permit requires that all discharge locations be evaluated for the presence of non-storm water discharges. Any unauthorized storm water discharges must be eliminated, or covered under another National Pollutant Discharge Elimination System (NPDES) permit. Certification that there are no unauthorized discharges must be submitted to the district supervisor. The following is a list of non-storm water discharges authorized under this NPDES permit - fire fighting activities, fire hydrant flushing, potable water sources including waterline flushing, irrigation drainage, lawn watering, uncontaminated ground water, foundation or footing drains, building wash down where no detergents were used, air conditioning condensate, dust control spraying.

The following table provides documentation that the Cargill Salt has conducted assessments of non-storm water sources entering the storm water drainage system.

Non-Storm Water Discharge Assessment				
Date of Test or Evaluation	What storm water outfall was directly observed during the test?	Describe methodology used to test or evaluate discharge (i.e., dye test, review plans,)	Describe results of assessment for the presence of non-storm water	Identify source of non-storm water discharge (if any)
August 5 - 17, 1999	1, 2, 3, and 4	O'Brien & Gere Engineers, Inc. performed various activities, including reviewing existing plans and used fluorescent dyes.	No unauthorized storm water connections to facility's storm sewer system were identified.	None identified



Storm Water Plan Certification

I certify under penalty of law that this SWPPP has been developed in accordance with good engineering practices. To the best of my knowledge and belief, the information submitted is true, accurate, and complete. In addition, at the time this plan was completed no unauthorized discharges were present. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations.

Donald J. Chute
(Signature of Certified Operator)

Donald J. Chute
(Printed Name)

I-07467
(Certification Number)

1/3/05
(Date)

Donald J. Chute
(Signature of Corporate Officer)

Donald J. Chute
(Printed Name)

1/3/05
(Date)

Plant Manager
(Title)

Retain a copy of this certification with the SWPPP and submit a copy of the certification with the original signatures to the MDEQ-WD office in your area.

updated 3/17/05 [Signature]



Pollution Incident Prevention Plan (PIPP)
And
Spill Prevention Control and Countermeasure (SPCC),
and
Storm Water Pollution Prevention Plan (SWPPP)
Consolidated Plan

Prepared for:



**916 South Riverside Avenue
St. Clair, Michigan 48079**

**NTH Project No. 16-060853-00
August 29, 2006**



PIP/SPCC/SWPP
Cargill Salt
St. Clair, Michigan

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	55-gallon Drums and Totes
	Material Storage and Handling
	Acid Unloading Permit
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SPCC PLAN CERTIFICATION

Management Approval

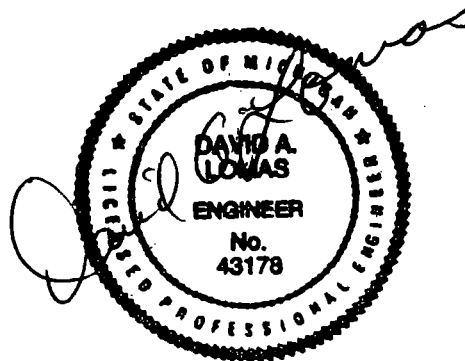
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Signature: Donald J. Chutras
Printed Name: DONALD J CHUTRAS
Title: PLANT MANAGER
Date: 8/31/06

Professional Engineer Certification

"I certify that I am familiar with the requirements of 40 CFR 112, Spill Prevention Control and Countermeasure Plan, and that I have visited the Cargill Salt Facility. This SPCC has been prepared in accordance with good engineering practices including consideration of applicable industry standards, and with requirements of the SPCC Rule. The procedures for required inspections and testing have been established. This SPCC plan is adequate for Cargill Salt Facility."

Printed Name: David Lomas
PE No. 62010 43178
Date: 8/29/06





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St. Clair, Michigan 48079

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Donald J. Chutas
Corporate Signature

DONALD J. CHUTAS
Printed Name

Plant Manager
Title

8/31/06
Date



Non-Storm Water Discharges

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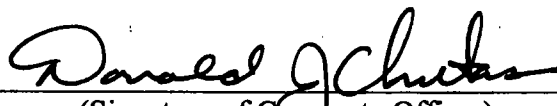


Storm Water Plan Certification

I certify under penalty of law that this SWPPP has been developed in accordance with good engineering practices. To the best of my knowledge and belief, the information submitted is true, accurate, and complete. In addition, at the time this plan was completed no unauthorized discharges were present. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations.


(Signature of Certified Operator)
Anthony J. Hodny
(Printed Name)

I-08209
(Certification Number)
8/31/06
(Date)


(Signature of Corporate Officer)
DONALD J. CHUTAS
(Printed Name)

8/31/06
(Date)
Plant Manager
(Title)

Retain a copy of this certification with the SWPPP and submit a copy of the certification with the original signatures to the MDEQ-WD office in your area.



Statement of Compliance

This facility is in conformance with the Federal SPCC and the State of Michigan PIP rules. This plan will be kept at the facility (EHS Office) and be available for review.

John Gierczak /R5/USEPA/US To

03/21/2006 12:58 PM

Subject Cargill MMI Announcement Letter

Hi All:

Attached is a draft letter and document list for the upcoming Cargill Salt MMI. I plan to call Cargill this afternoon to announce the inspection. I would like to fax the attached letter and document list to Cargill tomorrow afternoon.

Should you have any comments or recommended revisions, please let me know by noon (CT) tomorrow.

Thanks.

regards, john



dltr.doc



dplist.doc

March 21, 2006 Draft - Subject to Revision

March __, 2006

VIA FACSIMILE AND U.S. MAIL
Facsimile Telephone No.: 810-329-6560

Mr. Anthony Hodny
EHS Coordinator
Cargill Salt
916 South Riverside Avenue
St. Clair, MI 48079

Dear Mr. Hodny:

As discussed during our March __, 2006 telephone conversation, the United States Environmental Protection Agency (USEPA) will be performing a multimedia compliance inspection at Cargill Salt's St. Clair, Michigan facility. USEPA plans to begin the inspection on March 28, 2006. Representatives from the Michigan Department of Environmental Quality may also participate in this inspection.

Enclosed please find a list of information that the USEPA inspectors would like to have available for review while on site. Please note that other information may be requested during the inspection.

You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, pursuant to 40 CFR Part 2.203(b), by attaching to such information, at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by USEPA only to the extent allowed by, and only by means of the procedures set forth in, the regulations at 40 CFR Part 2 Subpart B. If no such claim accompanies the information when it is received by USEPA, it may be made available to the public by USEPA without further notice to you. In any event, you should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

An information sheet pertaining to USEPA's Small Business Resources (EPA 300-F-03-001) is also enclosed. This information is being provided to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.

Page 2
March __, 2006

Should you have any questions regarding the inspection or the enclosed information, please call me at (440) 250-1713.

We thank you for your cooperation.

Sincerely,

John S. Gierczak
Environmental Engineer

Enclosures

**MULTIMEDIA COMPLIANCE INSPECTION
CARGILL SALT
ST. CLAIR, MICHIGAN**

RECORDS/DOCUMENTS REQUESTED FOR REVIEW

In order to expedite the inspection, the information identified in the bullet items below is requested to be made available for review at the start of the inspection:

- Description of facility and operations.
- Facility map and plot plan.
- Simplified facility process flow diagram(s) and description of pollution control equipment.

The following documents and records are requested to be made available for review during the inspection. Some of the information requested may not be applicable to your facility for various reasons. If a particular document is not available or a regulation does not apply, please explain the reason during the inspection.

CLEAN AIR ACT

1. Plot plan of facility showing location and identification of all major process areas and stacks.
2. Air permit applications including Title V/Renewable Operating Permit, Permit-To-Install and PSD Permit Applications.
3. Data/records required by permits.
4. Consent Decrees/Orders/Agreements in effect and related correspondence.
5. Notices of noncompliance, reported deviations from permit requirements, and related correspondence for the past three years.
6. State emissions inventory reports for the past three years.
7. Reports for all sources tested for emissions of any regulated air pollutant (most recent).
8. Results of any ambient air monitoring performed during the last three years.
9. Performance specification tests, design data and calibration procedures for continuous emission monitors.
10. Notices of asbestos demolition/renovation projects in progress or completed within the last three years.
11. Certifications for contractors and/or in-house asbestos workers for demolition/renovation projects in progress or completed within the last three years.
12. Documentation of any on-going surveys to identify the amount and areas where asbestos containing materials are present.
13. Waste shipment records for all asbestos-containing waste material transported off the facility (last three years).
14. Inventory of all refrigeration units including make, model no., size, type, amount of refrigerant in unit, location, and type of service (e.g., comfort and/or process cooling).
15. Service and/or repair records for individual refrigeration units for the past three years.
16. List of certified technicians who maintain, service, or repair refrigeration equipment and copies of certifications.
17. List of approved recycling and recovery equipment used during maintenance, service, or repair of refrigeration equipment.
18. Refrigerant inventory for the past three years, including amounts used, amounts purchased, amounts sold and amounts on hand.
19. Risk Management Plan and plan update(s), if applicable.

CLEAN WATER ACT

1. Current NPDES Permit and NPDES Permit Application.
2. Schematic of the water flow through the facility and any description of sewer systems, monitoring stations and outfall locations.
3. Correspondence pertaining to any contested permit condition(s).
4. Discharge monitoring reports and any written permit noncompliance notifications, spill notifications, upset noncompliance notifications and bypass notifications (last three years).
5. Any compliance orders, penalty assessments or other enforcement actions issued in the last three years and related correspondence.
6. Notifications of changes in discharge or facility operations (July 23, 2003 to date).
7. NPDES sampling and analytical records (last three years).
8. Original recordings for any continuous monitoring instrumentation and associated calibration and maintenance records (last three years).
9. Reports, plans and other documents required by NPDES Permit including Storm Water Pollution Prevention Plan (SWPPP) and inspection records/report required under the SWPPP.
10. Current Pollutant Minimization Plan for Conductivity and any status reports.
11. Spill Prevention Control and Countermeasure Plan.
12. Facility Response Plan.

RESOURCE CONSERVATION AND RECOVERY ACT

1. List or description of all solid waste streams generated on site.
2. Analytical data or other information used to determine whether solid waste streams (including wastewaters) generated on site are hazardous waste and whether hazardous waste has to be treated before it can be land disposed.
3. Annual reports for shipping hazardous waste off site to a treatment, storage, or disposal facility (last three years).
4. Consent Decrees/Orders/Agreements in effect and related correspondence.
5. Manifests for any hazardous wastes transported, or offered for transportation, off site, including Land Disposal Restriction notifications and certifications (last three years).
6. One-time notices describing the generation, exemption or exclusion, and disposition of prohibited wastes that are excluded from the definition of hazardous waste or waste, or exempt from regulation as hazardous waste.
7. Exception reports for any manifests not received from the designated facility (last three years).
8. Hazardous waste minimization plan.
9. Notifications for any hazardous wastes intended to be exported.
10. Waste analysis plan.
11. Inspection schedule and logs for inspecting monitoring equipment, safety and emergency equipment, security devices and operating and structural equipment that are important to preventing, detecting, or responding to environmental or human health hazards (last three years).
12. Inspection schedules and logs for all hazardous waste accumulation and storage areas (last three years).
13. Hazardous waste training plan.
14. Employee training records for hazardous waste handlers, including the job title for each position at the facility related to hazardous waste management, the name of the employee filling each job, a written job description for each position, a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position, and records that document that the training or job experience required has been given to, and completed by, facility personnel.
15. Contingency plan and summary reports/documentation for all incidents that required implementation of the contingency plan (past three years).
16. Notifications and reports for any hazardous waste releases to the environment.
17. Location and quantity of each hazardous waste generated within facility.
18. Locations of all hazardous waste accumulation areas and location of all hazardous waste generation points.

19. Landfill records regarding the contents of each cell and the location of each hazardous waste type within each cell.
20. Closure and post-closure plans for any hazardous waste disposal facilities, waste piles, surface impoundments, tanks or landfills.
21. Closure certifications for, and certifications for any post-closure care that has been completed on, any hazardous waste disposal facilities, waste piles, surface impoundments, tanks or landfills.
22. Ground water sampling and analysis plan for any impoundment, landfill, or land treatment facilities on site.
23. Outline of ground water quality assessment program for any impoundment, landfill, or land treatment facilities on site.
24. Ground water analyses and reports for any impoundments, landfill, or land treatment facilities on site.
25. Certifications for any hazardous waste disposal facilities, waste piles, surface impoundments, tanks or landfills that have been closed.
26. List or description of all used oil generation points.
27. List or description of all used oil storage areas.
28. EPA identification number for all used oil transporters used in the past year.
29. List or description of all hazardous waste satellite accumulation areas and 90-day accumulation areas for containers.
30. List or description of all hazardous waste accumulation tanks.

**COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY
ACT/EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT**

1. Identify all releases of hazardous substances at the facility for the last three years. For each release, provide the following:
 - a. Chemical name and Chemical Abstract Service Registry Number.
 - b. Quantity of each chemical released.
 - c. Date, time and duration of release.
 - d. Medium or media into which the release occurred.
 - e. Any known or anticipated acute or chronic health risks associated with the release.
 - f. Date and times that emergency organizations were contacted (National Response Center, State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC)), if applicable.
 - g. Written follow-up emergency notice(s) required under 40 CFR 355.40(b)(3).
2. Emergency planning notification and notification of facility emergency coordinator required under 40 CFR 355.30(b) and (c), respectively.
3. Site plan which discusses the actions the facility would take in case of an emergency.
4. Facility diagram showing the locations of any hazardous chemical.
5. Tier I/II Reports, if appropriate (last three years).
6. Form R Reports under EPCRA Section 313, if appropriate (last three years).
7. Invoices, inventory records, or other documents such as a list of chemicals and maximum quantities stored at any one given time during each of the previous three calendar years.
8. Material Safety Data Sheets for all hazardous chemicals used/stored at your facility.

Phillip
Wicklein/R5/USEPA/US
03/21/2006 01:45 PM

To John Gierczak/R5/USEPA/US
cc Barbara Carr/R5/USEPA/US, Mark Moloney/R5/USEPA/US,
bcc
Subject Re: Cargill MMI Announcement Letter

John: I will show up for the Cargill SPCC inspection at 1300 after I complete Mueller Brass in Port Huron. Let me know if another time is better. I should easily finish at Mueller Brass in the morning by 10:30 or 11:00. I don't know if the following is useful to you or not. I will be asking Cargill for their inspection procedures and inspection records for the release of any storm water from tank containments and the inspection of tanks. See below:

On the subject of records. The following are the current and "after" October 31, 2007 records that facilities subject to the SPCC regulations (40 CFR 112) that Cargill must be keeping.

40 CFR 112.7(e). Currently in effect, inherited from the pre-2002 regulations. Inspections of tanks and stormwater prior to release from containment be in accordance with written procedures developed for the facility. Records of inspections are to be maintained for 3 years.

40 CFR 112.8(c)(3)(iv). Currently in effect, inherited from the pre-2002 regulations. Regulation states the requirements for stormwater drainage from diked areas and associated recordkeeping requirements.

40 CFR 112.8(c)(6). Currently in effect, inherited from the pre-2002 regulations. Keep comparison records of tank testing. Records kept for a period of 3 years.

40 CFR 112.8(c)(6). Effective after October 31, 2007. Conduct testing on a regular stated schedule and whenever you make material repairs. Inspections will be visual and one other nondestructive technique. Records of inspections are to be kept for 3 years.

If the facility is subject to SPCC regulations, I will be requesting to see written procedures developed for the facility pertaining to stormwater releases from diked areas, and the inspection records of individual discharges of storm water. I will also be looking for tank-testing/inspection records.

Phil
John Gierczak/R5/USEPA/US

John
Gierczak/R5/USEPA/US
03/21/2006 12:58 PM

To

Subject Cargill MMI Announcement Letter

Hi All:

Attached is a draft letter and document list for the upcoming Cargill Salt MMI. I plan to call Cargill this afternoon to announce the inspection. I would like to fax the attached letter and document list to Cargill tomorrow afternoon.

Should you have any comments or recommended revisions, please let me know by noon (CT) tomorrow.

Thanks.

regards, john

[attachment "dltr.doc" deleted by Phillip Wicklein/R5/USEPA/US]
Phillip Wicklein/R5/USEPA/US]

[attachment "dplist.doc" deleted by

Phillip
Wicklein/R5/USEPA/US
02/27/2006 06:52 AM

To John Gierczak/R5/USEPA/US
cc
bcc
Subject Re: Lodging for Cargill Salt MMI

I'LL FIGURE OUT WHERE TO HOUSE SOME TIME WITHIN THE NEXT TWO WEEKS. ALL I NEED FROM CARGIL IS A COPY OF THEIR SPCC PLAN TO CARRY AWAY. DO YOU ANTICIPATE THAT THE SPCC INSPECTION WILL BE OVER BY NOON? THAT IS NEARLY DOUBLE THE TIME I USUALLY ALLOT FOR AN INSPECTION. I WOULD LIKE TO SCHEDULE AT LEAST ONE ADDITIONAL INSPECTION THAT AFTERNOON IN THE DETROIT AREA.

John Gierczak/R5/USEPA/US

John Gierczak /R5/USEPA/US To

02/24/2006 03:07 PM

Subject Lodging for Cargill Salt MMI

Hi All:

For the upcoming multimedia inspection at Cargill Salt, I have reserved a room at the following location:

Thomas Edison Inn
500 Thomas Edison Parkway
Port Huron, MI 48060

Tel. 810 984-8000

Toll free: 1 800 451-7991

I've learned that the Inn's government rate is \$65.00 per night. It's my understanding the standard government rate is \$60.00 per night rather than \$65.00. I am not sure why there is a discrepancy, but I made the reservation anyway.

If you plan on making lodging arrangements at another location, we could plan to meet at the Cargill facility at an arranged time.

Please let me know if you intend to stay at another location so that I can ensure that we coordinate as necessary.

Thanks

regards, john

p.s. My tentative plan is to make arrangements to visit the MDEQ District Office in Warren on March 16 to conduct a regulatory file review. Should you wish to participate, or if there are specific documents that you would like me to look for, please let me know.

Phillip
Wicklein/R5/USEPA/US
02/27/2006 06:52 AM

To John Gierczak/R5/USEPA/US
cc
bcc
Subject Re: Lodging for Cargill Salt MMI

I'LL FIGURE OUT WHERE TO HOUSE SOME TIME WITHIN THE NEXT TWO WEEKS. THANKS FOR THE HEADSUP. ALL I NEED FROM CARGIL IS A COPY OF THEIR SPCC PLAN TO CARRY AWAY. DO YOU ANTICIPATE THAT THE SPCC INSPECTION WILL BE OVER BY NOON? THAT IS NEARLY DOUBLE THE TIME I USUALLY ALLOT FOR AN INSPECTION. I WOULD LIKE TO SCHEDULE AT LEAST ONE ADDITIONAL FACILITY INSPECTION THAT AFTERNOON IN THE DETROIT AREA.

PHIL

John Gierczak/R5/USEPA/US

John
Gierczak/R5/USEPA/US
02/24/2006 03:07 PM

To
Subject Lodging for Cargill Salt MMI

Hi All:

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Please let me know if you intend to stay at another location so that I can ensure that we coordinate as necessary.

Thanks

regards, john

p.s. My **tentative** plan is to make arrangements to visit the MDEQ District Office in Warren on March 16 to conduct a regulatory file review. Should you wish to participate, or if there are specific documents that you would like me to look for, please let me know.

Phillip
Wicklein/R5/USEPA/US
02/13/2006 06:56 AM

To John Gierczak/R5/USEPA/US
cc Richard Clarizio/R5/USEPA/US@EPA, Barbara
Carr/R5/USEPA/US,
bcc
Subject Re: Multimedia Inspection - Cargill Salt

April 4th is fine by me. Phil

John Gierczak/R5/USEPA/US

John Gierczak/R5/USEPA/US
02/03/2006 04:46 PM

To Phillip Wicklein/R5/USEPA/US@EPA
cc Richard Clarizio/R5/USEPA/US@EPA
Subject Re: Multimedia Inspection - Cargill Salt

Hey Phil:

Great to hear from you!

Let's plan on starting the Cargill, SPCC inspection work at 8:30 AM/ET, Tuesday, April 4.

I'll let you know where I'll be staying as soon as I've made lodging arrangements.

As I mentioned in my email message to Barb below, I plan to perform a regulatory file review at the local MDEQ office prior to the inspection. In the event I find any information related to the SPCC program, I'll share it with you in advance of the inspection.

I'll also be forwarding you an email message that I received from Rich Clarizio in Regional Counsel. Rich's message includes a checklist from a multimedia screening inspection that was performed at Cargill in January of 2003.

If you are looking for other SPCC inspection work in the area, you may wish to contact Rich. He has been involved with the Southeast, Michigan Flyway Initiative and has information regarding a number of SPCC inspection candidates in the area.

I look forward to working with you.

More later.....

regards, john

Phillip Wicklein/R5/USEPA/US

Phillip
Wicklein/R5/USEPA/US
01/31/2006 11:51 AM

To Barbara Carr/R5/USEPA/US@EPA
cc Barbara Carr/R5/USEPA/US@EPA, Beverly

Kush/R5/USEPA/US@EPA, John
Gierczak/R5/USEPA/US@EPA
Subject Re: Multimedia Inspection - Cargill Salt

John: Pick a day for the SPCC inspection at Cargill, and let me know what day that will be as soon as possible. I will then set up other inspections on the days around your inspection day to economize on our inspection time and costs. I have a couple of inspections I can do in the Detroit area, and I'm sure I can find some more between here and Detroit. Thanks, and I'll try and not leave my coveralls behind. Phil
BARBARA CARR/R5/USEPA/US



BARBARA
CARR/R5/USEPA/US
Sent by: Barbara Carr
01/30/2006 03:23 PM

To John Gierczak/R5/USEPA/US@EPA
cc Phillip Wicklein/R5/USEPA/US@EPA, Beverly
Kush/R5/USEPA/US@EPA
Subject Re: Multimedia Inspection - Cargill Salt

Hi John

That inspection will go to Phil Wicklein since Michigan is in his "turf." Please send him and me all information. If you can get us an "advance" copy of the SPCC plan, that helps.

hope all is well with you!

Barbara A. Carr, Ph.D.
SPCC Coordinator
312.886.7187
carr.barbara@epa.gov
U.S. EPA, R5, SE-5J
77 W. Jackson Blvd.
Chicago, IL 60604

-----John Gierczak/R5/USEPA/US wrote: -----

To: Barbara Carr/R5/USEPA/US@EPA
From: John Gierczak/R5/USEPA/US
Date: 01/25/2006 03:32PM
Subject: Multimedia Inspection - Cargill Salt

ENFORCEMENT CONFIDENTIAL

Hi Barb!

The ECAT has requested that a multimedia compliance inspection be performed at:

Cargill Salt, Inc.
916 South Riverside Avenue
St. Clair, Michigan

The Region conducted a multimedia screening inspection at this facility in January of 2003, as part of the

Southeast Michigan Flyway Initiative. Based upon information reported for the 2003 visit, it appears the facility is subject to the SPCC regulations.

The upcoming inspection is scheduled to be performed during the weeks of March 27 and April 3, 2006. Should you, or anyone in your group, wish to participate, please let me know. In the event that your program does participate, the on-site inspection activities related to the SPCC program would probably be scheduled for April 4 or 5.

I plan to perform a regulatory file review at the MDEQ's Southeast Office in February or early March. If there is any SPCC/PIP information in the files, I could share it with you prior to the inspection.

Hope all is well....

regards, john

Phillip
Wicklein/R5/USEPA/US
04/20/2006 02:42 PM

To John Gierczak/R5/USEPA/US
cc
bcc
Subject Re: Multimedia SPCC inspection Cargill

John Gierczak/R5/USEPA/US

John Gierczak /R5/USEPA/US
04/20/2006 01:51 PM

To Phillip Wicklein/R5/USEPA/US@EPA
cc Barbara Carr/R5/USEPA/US@EPA
Subject Re: Multimedia SPCC inspection Cargill

YEA! READ ON....

Thanks for the information Phil!!

The Cargill multimedia inspection team is scheduled to brief the ECAT regarding preliminary inspection findings on Wednesday morning, April 26 (more later on the time and place).

I propose the SPCC LOD be finalized and sent to Cargill after the ECAT briefing. I believe that we should inform the ECAT, at the time of the briefing, that your program intends to send the LOD to Cargill and ensure that the ECAT concurs with this follow-up (since there may be a need for coordination with other follow-up activities from the multimedia inspection).

You may wish to circulate a draft of the LOD to the ORC folks assigned to the Cargill multimedia inspection project (Rich Clarizio & Ann Coyle) prior to sending it to Cargill.

I reviewed the SPCC issues discussed in your email and was hoping you could provide some clarification on the following:

1. It's my understanding the green diesel fuel tank is double walled and that the outer wall serves as secondary containment for the tank. According to Appendix D in the SPCC Plan, the double wall has a containment volume of 100%. Based upon this information, it seems to me that the earthen containment that was around the green tank at the time of the inspection may be insufficient for the loading area/operation but oil stored in the tank would likely be contained between the inner and outer tank walls in the event of a breach in the inner tank wall. YOU'RE RIGHT! I'M BRAIN DEAD. CONTAINMENT JUST FOR THE LOADING/UNLOADING. AN EASY FIX. I'LL MAKE THE CORRECTION TO MY LETTER.

2. I recall that the 5000-gallon, diesel fuel tank located at the Mead brine field was surrounded by a concrete dike and covered with a roof. I do not recall a retention pond at the Mead field. There is a pond located west of the T1 Transformer discussed in your email. According to Appendix D of the SPCC Plan, that pond serves as secondary containment for the T1 Transformer. However, as I believe you correctly indicated in your email, based upon our observations it did not appear that the T1 Transformer had sufficient containment and it was located in the vicinity of a sewer grating on Riverside Avenue.

THERE IS A "WETLAND" DEPRESSION FORWARD OF THE 5,000-GALLON TANK IN THE MEAD BRINE FIELD. JUST MAKING SURE THAT DRAINAGE IS TO THAT DEPRESSION FROM ALL

AROUND THE TANK THERE WOULD TAKE CARE OF THE RARE EVENT OF A DELIVERY TRUCK MISHAP. ANOTHER EASY FIX.

T1 IS ON THE WEST SIDE OF RIVERSIDE AVENUE IN FRONT OF THE PLANT. I DON'T REMEMBER ANY PONDS NEARBY. THE TOPOGRAPHY WAS DOWN SLOPE TO THE STREET AND A SEWER. I SHOULD HAVE TAKEN THAT PHOTOGRAPH. CONTAINMENT FOR THE TRANSFORMER OF SOME KIND IS ALL THAT IS REQUIRED. THAT'S SOMETHING FOR THE ENGINEER TO FIGURE OUT.

3. I also recall an issue with the 500-gallon, fire pump, diesel fuel tank located above floor gratings in the building near the facility's boilers (I believe the building where the tank is located is identified as Building No. 47 in Appendix D of the SPCC Plan). As I understand the issue, there is concern about the potential for oil to pass through the floor gratings, in the event of a mishap while the tank is being filled, or from spillage of residual oil in the long delivery line that may be needed to transfer fuel oil to the tank.

I WASN'T CONCERNED ABOUT THE INDOOR TANK BECAUSE ANY MISHAP WOULD FOUL THE INSIDE OF THE FACILITY AND THEIR PROCESSES WITHOUT ESCAPING BACK OUT TO THE RIVER. SOMETHING THEY MAY WANT TO TAKE ANOTHER LOOK AT, BUT FOR THEIR SAKE ONLY, NOT OURS. I CALLED TONY ABOUT THE LOADING/UNLOADING AREA OUTSIDE FOR THAT TANK AND THAT LOADING AREA DRAINS TO CONTAINMENT, NO PROBLEM THERE. RIGHT NOW TONY THINKS THEY FILL THE TANK WITH 5-GALLON CANS. YOU CAN DROP THOSE TOO. OH WELL, NOT OUR PROBLEM. THANKS FOR THE HEADS UP.

Any clarification that you could provide on these items would be appreciated. I plan to use the above information and information in your email below to prepare draft preliminary findings for the interim multimedia inspection report that I will be transmitting to the ECAT for the April 26 briefing.

It would be great if you could copy me on the LOD. If I could get a copy of your SPCC report for incorporation into the final multimedia inspection report that would also be appreciated.

MORE LATER.....PHIL

regards, john

Phillip Wicklein/R5/USEPA/US

Phillip
Wicklein/R5/USEPA/US
04/20/2006 07:38 AM

To John Gierczak/R5/USEPA/US@EPA
cc Barbara Carr/R5/USEPA/US@EPA

Subject Multimedia SPCC inspection Cargill

Cargill Salt: I have completed my report on the facility SPCC inspection and found three SPCC issues requiring correction. These are: 1. insufficient containment around the green diesel-fuel tank for the tank and loading area, 2. drainage from the 5,000-gallon diesel-fuel tank and it's associated loading area requiring construction to insure any releases to go to a retention pond, etc., and 3. insufficient containment for transformer T1 which is within 100-ft of an open stormwater sewer in Riverside Avenue. The first two are easy and obvious fixes. The third item will require some thought and effort on the part of Cargill and their engineer.

You indicated it would be alright to complete my report and send our Letter of Deficiency (LOD) straight on

to Cargill Salt. Does that still stand? Please give me a heads up on what other obligations and dates I might have as regards this multimedia inspection. I plan to send our LOD to Mr. Don Chutas, the plant manager. Would you like to be copied on the letter?

It is interesting that the same engineer, David Lomas, certified the SPCC plan of both facilities.



August 31, 2006

Mr. Phil Wicklein
SPCC Inspector Grantee
US EPA Emergency Response Branch (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60605-3590

Subject: Alleged Violations of the SPCC Regulation During Inspection of April 4, 2006
Cargill Salt, St. Clair, MI

Dear Mr. Wicklein:

This letter is the follow-up to Cargill's June 5, 2006, response addressing the alleged violations of the Spill Prevention Control and Countermeasure ("SPCC") Plan regulations identified during the inspection / plan review of April 4, 2006. The noted deficiencies permanent corrective measures are as follows:

- 1) The containment for the "green" fuel tank appears inadequate for the largest compartment of a delivery tanker truck.

This fuel tank has been removed and the SPCC Plan has been updated with this permanent preventive measure and re-certified by a third-party PE.

- 2) The loading/unloading area in front of the 5,000-gallon fuel-oil tank in the Mead Brine Field requires containment or drainage to a spill-retention area.

The fuel loading / unloading area is trenched to allow for proper drainage to a spill retention area. Small quantities of fuel oil that may spill into the containment area (during transfer activities) are cleaned up by the use of a hand pump, sorbent pads, or corncob absorbent. The SPCC Plan has been updated with this permanent preventive measure and re-certified by a third-party PE.

- 3) Transformer T1 does not have secondary containment and is located up-slope and within 100 feet of a storm sewer drain on the west side of Riverside Avenue discharging directly to the Pine or St. Clair River.

A concrete containment with a capacity of over 110% of the Transformer T1 fluid has been installed. The SPCC Plan has been updated with this permanent preventive measure and re-certified by a third-party PE.

Enclosed you will find the Cargill Salt, St. Clair, MI, combined Pollution Incident Prevention, Spill Control And Countermeasure, and Stormwater Pollution Prevention Plans. A third-party PE has certified these plans. If you have any additional questions, please do not hesitate to contact me at (810) 326-2829.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Chutas". The signature is fluid and cursive, with a long horizontal stroke at the end.

Don Chutas
Plant Manager

cc:

Kim Thorstad
Sheri Ofiari



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 4 2006

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SE-5J/OPRS-SPCC
06-010

Mr. Donald Chutas, Plant Manager
Cargill Salt
916 S. Riverside Avenue
St. Clair, Michigan 48079

Dear Mr. Chutas:

An inspection of your facility on April 4, 2006 indicated that your Spill Prevention, Control and Countermeasure ("SPCC") Plan does not address the requirements of Title 40, Part 112 of the Code of Federal Regulations ("40 C.F.R. Part 112"). The deficiencies of your facility's Plan are listed in Attachment A to this letter.

Pursuant to Section 311(b) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1321(b), violations of the SPCC regulations, contained at 40 C.F.R. Part 112, subject owners and operators of a facility to administrative civil penalties of up to \$11,000 per day (up to a maximum of \$157,500) or judicial civil penalties of up to \$32,500 per day.

Cargill Salt must take prompt action to correct the violations and come into compliance with the SPCC regulation. U.S. EPA requests, pursuant to Sections 311(m) and 308(a) of the Clean Water Act, 33 U.S.C. §§ 1321(m) and 1318(a), that you provide responses to Attachment A (which specifies information which the facility must submit for each violation) and a completed copy of Attachment C-II form **within thirty (30) calendar days** from the date of receipt of this letter.

These materials should be sent to:

U.S. Environmental Protection Agency
Emergency Response Branch (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Attn: Phillip Wicklein, SPCC Inspector Grantee

All materials submitted must be accompanied by a certification that all materials and all statements submitted by your facility are true and accurate to the best of the signatory's knowledge and belief. This certification must be notarized and signed by an authorized official of your facility. The SPCC plan and all subsequent amendments must be reviewed and certified by a

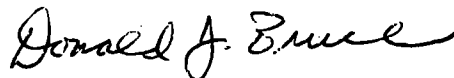
registered Professional Engineer who is familiar with the facility and with 40 C.F.R. Part 112. The engineer's name, registration number, State of registration, date of certification and seal must be included as part of the Plan.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Part 35. The U.S. EPA has the authority to use the information requested herein in an administrative, civil or criminal action.

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002. U.S. EPA further amended the regulation to extend the date for compliance with the requirements of Part 112.3 of the regulations to allow facility owners sufficient time to undertake the actions necessary to prepare and update their plans. The compliance date for both Plan amendment and implementation has been extended to October 31, 2007. Facilities that start operations between August 16, 2002 and October 31, 2007, must prepare and implement an SPCC Plan by October 31, 2007.

If U.S. EPA does not receive an adequate response from your facility, it will be required to review its enforcement options. If you have any questions, please feel free to contact Phillip Wicklein, SPCC Inspector Grantee, at (312) 886-0185 or wicklein.phillip@epa.gov.

Sincerely,



Donald J. Bruce, Acting Chief
Emergency Response Branch #1

Attachments: (Attachment A)

cc: Michigan Department of Environmental Quality

ATTACHMENT A

**VIOLATIONS OF THE SPCC REGULATION IDENTIFIED DURING INSPECTION / PLAN REVIEW
THE SPECIFIC DEFICIENCIES WHICH MUST BE ADDRESSED ARE AS FOLLOWS:**

40 C.F.R. Part 112.7 - General requirements for Spill Prevention, Control and Countermeasure Plans

- (c) Failure to provide appropriate secondary containment and/or diversionary structures or equipment to prevent a discharge, sorbent materials, etc.

Cargill Salt does not have a "rack" as regulated under 112.7(h). Therefore Cargill Salt only needs to address loading/unloading areas under regulations 112.7(c) or 112.8(c)(11).

The containment for the "green" fuel tank appears inadequate for the largest compartment of a delivery tanker truck

The loading/unloading area in front of the 5,000-gallon fuel-oil tank in the Mead Brine Field requires containment or drainage to a spill-retention area.

Transformer T1 does not have secondary containment and is located up-slope and within 100 feet of a storm sewer drain on the west side of Riverside Avenue discharging directly to the Pine or St. Clair River [112.7(c)].

These issues will require an amendment and re-certification by a P.E. Please also provide an implementation schedule and interim preventive measures in your response which will be initiated prior to Cargill Salt coming into compliance

112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities(excluding production facilities).

(b) Facility Drainage

- (3) Failure to provide appropriate facility drainage systems from undiked areas that flow to ponds, lagoons or catchment basins, designed to retain oil or return it to the facility.

Review the comments to 112.7(c) above.

Failure to provide secondary containment for the single largest compartment or tank with sufficient freeboard contain precipitation.

Review the comments to 112.7(c) above.

MAY 4 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SE-5J/OPRS-SPCC
06-010

Mr. Donald Chutas, Plant Manager
Cargill Salt
916 S. Riverside Avenue
St. Clair, Michigan 48079

Dear Mr. Chutas:

An inspection of your facility on April 4, 2006 indicated that your Spill Prevention, Control and Countermeasure ("SPCC") Plan does not address the requirements of Title 40, Part 112 of the Code of Federal Regulations ("40 C.F.R. Part 112"). The deficiencies of your facility's Plan are listed in Attachment A to this letter.

Pursuant to Section 311(b) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1321(b), violations of the SPCC regulations, contained at 40 C.F.R. Part 112, subject owners and operators of a facility to administrative civil penalties of up to \$11,000 per day (up to a maximum of \$157,500) or judicial civil penalties of up to \$32,500 per day.

Cargill Salt must take prompt action to correct the violations and come into compliance with the SPCC regulation. U.S. EPA requests, pursuant to Sections 311(m) and 308(a) of the Clean Water Act, 33 U.S.C. §§ 1321(m) and 1318(a), that you provide responses to Attachment A (which specifies information which the facility must submit for each violation) and a completed copy of Attachment C-II form **within thirty (30) calendar days** from the date of receipt of this letter.

These materials should be sent to:

U.S. Environmental Protection Agency
Emergency Response Branch (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Attn: Phillip Wicklein, SPCC Inspector Grantee

All materials submitted must be accompanied by a certification that all materials and all statements submitted by your facility are true and accurate to the best of the signatory's knowledge and belief. This certification must be notarized and signed by an authorized official of your facility. The SPCC plan and all subsequent amendments must be reviewed and certified by a

ACW 4-25-06

EAC 4/25/06

BAR SPB.
4/25/06 ERB 1/5406 Jelen

registered Professional Engineer who is familiar with the facility and with 40 C.F.R. Part 112. The engineer's name, registration number, State of registration, date of certification and seal must be included as part of the Plan.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Part 35. The U.S. EPA has the authority to use the information requested herein in an administrative, civil or criminal action.

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002. U.S. EPA further amended the regulation to extend the date for compliance with the requirements of Part 112.3 of the regulations to allow facility owners sufficient time to undertake the actions necessary to prepare and update their plans. The compliance date for both Plan amendment and implementation has been extended to October 31, 2007. Facilities that start operations between August 16, 2002 and October 31, 2007, must prepare and implement an SPCC Plan by October 31, 2007.

If U.S. EPA does not receive an adequate response from your facility, it will be required to review its enforcement options. If you have any questions, please feel free to contact Phillip Wicklein, SPCC Inspector Grantee, at (312) 886-0185 or wicklein.phillip@epa.gov.

Sincerely,

Donald J. Bruce, Acting Chief
Emergency Response Branch #1

Attachments: (Attachment A)

cc: Michigan Department of Environmental Quality

bcc: yellow (official case file)
blue (SPCC read)
mdadamo/6-5905//zip disk/4-24-06/cargill

ATTACHMENT A

**VIOLATIONS OF THE SPCC REGULATION IDENTIFIED DURING INSPECTION / PLAN REVIEW
THE SPECIFIC DEFICIENCIES WHICH MUST BE ADDRESSED ARE AS FOLLOWS:**

40 C.F.R. Part 112.7 - General requirements for Spill Prevention, Control and Countermeasure Plans

- (c) Failure to provide appropriate secondary containment and/or diversionary structures or equipment to prevent a discharge, sorbent materials, etc.

Cargill Salt does not have a "rack" as regulated under 112.7(h). Therefore Cargill Salt only needs to address loading/unloading areas under regulations 112.7(c) or 112.8(c)(11).

The containment for the "green" fuel tank appears inadequate for the largest compartment of a delivery tanker truck

The loading/unloading area in front of the 5,000-gallon fuel-oil tank in the Mead Brine Field requires containment or drainage to a spill-retention area.

Transformer T1 does not have secondary containment and is located up-slope and within 100 feet of a storm sewer drain on the west side of Riverside Avenue discharging directly to the Pine or St. Clair River [112.7(c)].

These issues will require an amendment and re-certification by a P.E. Please also provide an implementation schedule and interim preventive measures in your response which will be initiated prior to Cargill Salt coming into compliance

112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities(excluding production facilities).

(b) Facility Drainage

- (3) Failure to provide appropriate facility drainage systems from undiked areas that flow to ponds, lagoons or catchment basins, designed to retain oil or return it to the facility.

Review the comments to 112.7(c) above.

Failure to provide secondary containment for the single largest compartment or tank with sufficient freeboard contain precipitation.

Review the comments to 112.7(c) above.

Draft

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SE-5J/OPRS-SPCC

Mr. Donald Chutas, Plant Manager
Cargill Salt
916 S. Riverside Avenue
St. Clair, Michigan 48079

Dear Mr. Chutas:

An inspection of your facility on April 4, 2006 indicated that your Spill Prevention, Control and Countermeasure ("SPCC") Plan does not address the requirements of Title 40, Part 112 of the Code of Federal Regulations ("40 C.F.R. Part 112"). The deficiencies of your facility's Plan are listed in Attachment A to this letter.

Pursuant to Section 311(b) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1321(b), violations of the SPCC regulations, contained at 40 C.F.R. Part 112, subject owners and operators of a facility to administrative civil penalties of up to \$11,000 per day (up to a maximum of \$157,500) or judicial civil penalties of up to \$32,500 per day.

Cargill Salt must take prompt action to correct the violations and come into compliance with the SPCC regulation. U.S. EPA requests, pursuant to Sections 311(m) and 308(a) of the Clean Water Act, 33 U.S.C. §§ 1321(m) and 1318(a), that you provide responses to Attachment A (which specifies information which the facility must submit for each violation) and a completed copy of Attachment C-II form **within thirty (30) calendar days** from the date of receipt of this letter.

These materials should be sent to:

U.S. Environmental Protection Agency
Emergency Response Branch (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Attn: Phillip Wicklein, SPCC Inspector Grantee

All materials submitted must be accompanied by a certification that all materials and all statements submitted by your facility are true and accurate to the best of the signatory's knowledge and belief. This certification must be notarized and signed by an authorized official of your facility. The SPCC plan and all subsequent amendments must be reviewed and certified by a registered Professional Engineer who is familiar with the facility and with 40 C.F.R. Part 112. The engineer's name, registration number, State of registration, date of certification and seal must be included as part of the Plan.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Part 35. The U.S. EPA has the authority to use the information requested herein in an administrative, civil or criminal action.

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002 and became effective on August 16, 2002. On April 17, 2003, U.S. EPA further amended the regulation to extend the dates for compliance with the requirements of Part 112.3 of the regulation. On June 17, 2004

U.S. EPA extended the compliance date for a second time to allow facility owners sufficient time to undertake the actions necessary to prepare and update their plans. On December 12, 2005, U.S. EPA proposed to extend the upcoming date for a third time for both Plan amendment and implementation to October 31, 2007 for all regulated facilities. Facilities that start operations between August 16, 2002 and October 31, 2007, must prepare and implement an SPCC Plan by October 31, 2007.

If U.S. EPA does not receive an adequate response from your facility, it will be required to review its enforcement options. If you have any questions, please feel free to contact Phillip Wicklein, SPCC Inspector Grantee, at (312) 886-0185 or wicklein.phillip@epa.gov.

Sincerely,

Linda M. Nachowicz, Chief
Emergency Response Branch

Attachments:

Attachment A

cc:

bcc: yellow (official case file)
blue (SPCC read)
mdadamo/6-5905//zip disk/initialreview-2

**VIOLATIONS OF THE SPCC REGULATION IDENTIFIED DURING INSPECTION /
PLAN REVIEW**

THE SPECIFIC DEFICIENCIES WHICH MUST BE ADDRESSED ARE AS FOLLOWS

**40 C.F.R. Part 112.7 - General requirements for Spill Prevention,
Control and Countermeasure Plans**

- (c) Failure to provide appropriate secondary containment and/or diversionary structures or equipment to prevent a discharge, sorbent materials, etc.

Cargill Salt does not have a "rack" as regulated under 112.7(h). Therefore Cargill Salt only needs to address loading/unloading areas under regulations 112.7(c) or 112.8(c)(11).

The containment for the "green" fuel tank appears inadequate for the largest compartment of a delivery tanker truck

The loading/unloading area in front of the 5,000-gallon fuel-oil tank in the Mead Brine Field requires containment or drainage to a spill-retention area.

Transformer T1 does not have secondary containment and is located up-slope and within 100 feet of a storm sewer drain on the west side of Riverside Avenue discharging directly to the Pine or St. Clair River [112.7(c)].

These issues will require an amendment and re-certification by a P.E. Please also provide an implementation schedule and interim preventive measures in your response which will be initiated prior to Cargill Salt coming into compliance

**112.8 Spill Prevention, Control, and Countermeasure Plan
requirements for onshore facilities(excluding production
facilities).**

(b) Facility Drainage

- (3) Failure to provide appropriate facility drainage systems from undiked areas that flow to ponds, lagoons or catchment basins, designed to retain oil or return it to the facility.

Review the comments to 112.7(c) above.

Failure to provide secondary containment for the single largest compartment or tank with sufficient freeboard contain precipitation.

Review the comments to 112.7(c) above.

*Review Draft
for closing
letter*

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SE-5J/OPRS-SPCC
06-010

Mr. Donald Chutas, Plant Manager
Cargill Salt
916 S. Riverside Avenue
St. Clair, Michigan 48079

Dear Mr. Chutas:

After review of the revised Spill Prevention, Control and Countermeasure (SPCC) Plan (certified by David A. Lomas, 43178 MI, on August 29, 2006), it appears that your facility has met the minimum requirements of the Code of Federal Regulations (CFR), Title 40, Part 112 at this time.

We would like to remind you that the facility's plan should be reviewed every 5 years. Any material changes made in the facility's design, construction, operation or maintenance which affect the facility's ability to store or discharge oil into navigable waters of the United States, should be amended in the SPCC plan and certified by a registered Professional Engineer (PE).

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002. U.S. EPA further amended the regulation to extend the date for compliance with the requirements of Part 112.3 of the regulations to allow facility owners sufficient time to undertake the actions necessary to prepare and update their plans. The compliance date for both Plan amendment and implementation has been extended to October 31, 2007. Facilities that start operations between August 16, 2002 and October 31, 2007, must prepare and implement an SPCC Plan by October 31, 2007.

-2-

If you have any questions, feel free to contact , SPCC
Inspector Grantee, Phillip Wicklein at (312) 886-0185 or
wicklein.phillip@epa.gov

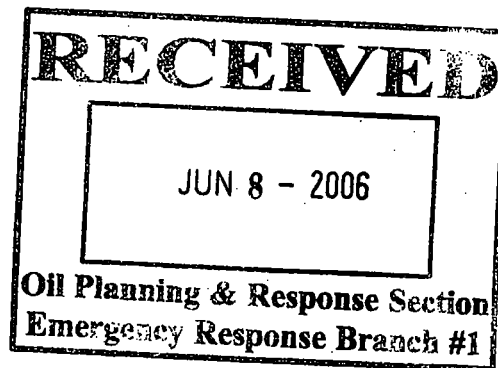
Sincerely,

William J. Bolen, Chief
Emergency Response Branch #1

cc:

bcc: Yellow
Blue

mdadamo/6-5905/7-29-03/zip disk/minreq-3



June 5, 2006

Mr. Phil Wicklein
SPCC Inspector Grantee
US EPA Emergency Response Branch (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60605-3590

Subject: Alleged Violations of the SPCC Regulation During Inspection of April 4, 2006
Cargill Salt, St. Clair, MI

Dear Mr. Wicklein:

This letter is in response to the alleged violations of the Spill Prevention Control and Countermeasure ("SPCC") Plan regulations identified during the inspection / plan review of April 4, 2006. The deficiencies that were noted, interim preventive measures in response to these deficiencies, and the time line for implementation of permanent corrective measures are as follows:

- 1) The containment for the "green" fuel tank appears inadequate for the largest compartment of a delivery tanker truck.

This fuel tank has not been used in two years. It is presently locked out and will remain locked out in the interim until a proper plan for containment of a release from a fuel oil delivery truck has been developed. The SPCC Plan will be updated with this permanent preventive measures and re-certified by a third-party PE. The revised SPCC Plan will be submitted to you by September 1, 2006

- 2) The loading/unloading area in front of the 5,000-gallon fuel-oil tank in the Mead Brine Field requires containment or drainage to a spill-retention area.

This fuel tank receives oil through the loading/unloading area on a very infrequent basis. As an interim prevention measure, no loading or unloading of this tank by truck will be permitted until a proper plan for containment of a release from the truck performing the loading or unloading has been developed. The SPCC Plan will be updated with permanent preventive measures and re-certified by a third-party PE. The revised SPCC Plan will be submitted to you by September 1, 2006

- 3) Transformer T1 does not have secondary containment and is located up-slope and within 100 feet of a storm sewer drain on the west side of Riverside Avenue discharging directly to the Pine or St. Clair River.

Transformer T1 contains 360 gallons of oil and is located 135 ft. from the storm sewer drain on the west side of Riverside Avenue. The path of travel of the fluid in the event of a spill would be through a gravel parking lot that would deter the flow. This transformer is also in a high traffic area so leaks would be readily visible to employees passing by it. Interim measures to prevent fluid from reaching the storm drain in the event of a leak will include having containment and absorption materials readily available in the immediate area. The SPCC Plan will be updated with permanent preventive measures and re-certified by a third-party PE. The revised SPCC Plan will be submitted to you by September 1, 2006

If you have any additional questions, please do not hesitate to contact me at (810) 326-2829.

Sincerely,



Don Chutas
Plant Manager

cc: Tony Hodny
Gary Rimmey
Kim Thorstad

SPCC INSPECTION REPORT WITH ATTACHMENTS PUNCHLIST

Facility Name: Cargill Salt Inspection Date: April 4, 2006

Facility Location: 916 S. Riverside Avenue Inspector(s): Phillip Wicklein
St. Clair, Michigan 48079

ALL of the following items are **REQUIRED**. If any of the items are deficient or missing, please explain in the space provided. PLEASE REMEMBER THAT ALL ITEMS SUBMITTED ARE ADMISSABLE IN A COURT OF LAW. MAKE SURE ALL ITEMS ARE THOROUGHLY EXPLAINED AND COMPLETE.

<u>Item/Explanation</u>	<u>Reviewer's Comments</u>
1. SPCC Inspection Report <u>X</u>	1. SPCC Inspection Report <u></u>
2. Acknowledgment of Inspection <u>X</u>	2. Acknowledgment of Inspection <u></u>
3. Field Checklist <u>X</u>	3. Field Checklist <u></u>
4. Facility's SPCC Plan <u>X</u>	4. Facility's SPCC Plan <u></u>
5. Photolog <u>X</u>	5. Photolog <u></u>
6. Maps <u>X</u>	6. Maps <u></u>
7. Oil Storage Listings <u>X</u>	7. Oil Storage Listings <u></u>
8. Containment Calculations <u>X</u>	8. Containment Calculations <u></u>
9. Letter of Deficiency <u>X</u>	9. Letter of Deficiency <u></u>

Inspector: Phillip Wicklein Reviewer:

Date: April 13, 2006 Date:

SPCC INSPECTION REPORT

I. SPCC INSPECTION SUMMARY

(To be completed if SPCC Regulation is applicable to Facility - See 40 CFR 112.1)

A. FACILITY

1. SPCC TRACKER NO.		2. SPCC INSPECTION NO. 06-010		3. DATE OF INSPECTION April 4, 2006	
4. NAME OF FACILITY Cargill Salt				5. DATE FACILITY BECAME OPERATIONAL 1886	
6. FACILITY LOCATION 916 S. Riverside Avenue St. Clair, Michigan 48079 Brine Field is located on the northeast corner of Range and Puttygut Roads about two miles south of the plant site.				7. COUNTY St. Clair	
8. NAME OF OWNER AND/OR OPERATOR RESPONSIBLE FOR FACILITY Don Chutas, Plant Manager				9. TELEPHONE NUMBER 810-326-2829	
10. MAILING ADDRESS 916 S. Riverside Avenue St/ Clair, Michigan 48079					
11. COMPANY Cargill Salt					
12. COMPANY ADDRESS				13. TELEPHONE	
14. CITY		15. STATE		16. ZIP CODE	
17. PARENT CORPORATION Cargill, Incorporated					
18. CORPORATION ADDRESS P.O. Box 9300				19. TELEPHONE 1-800-227-4455	
20. CITY Minneapolis		21. STATE MN		22. ZIP CODE 55440-9300	
23. TYPE OF FACILITY Salt, table, manufacturing. Spice and extract manufacturing		24. NAICS CODE 311942		25. LATITUDE AND LONGITUDE 42° 49' 00" N. -82° 29' 15" W office 42° 47' 20" N. -82° 30' 35" W. brine field	

B. SPCC PLAN

1. IS A CERTIFIED SPCC PLAN AVAILABLE FOR INSPECTION?			[X] YES	[] NO
IF "NO" :		[] A NON-CERTIFIED PLAN IS AVAILABLE	[] NO PLAN IS AVAILABLE	

I. SPCC INSPECTION SUMMARY

(To be completed if SPCC Regulation is applicable to Facility - See 40 CFR 112.1)

2. NAME AND REGISTRATION NUMBER OF CERTIFYING ENGINEER

☐ NOT APPLICABLE David A. Lomas 43178

3. DATE SPCC PLAN WAS CERTIFIED

~~☐ NOT DATED~~ N/A
12-03-04

4. IS THE SPCC PLAN FULLY IMPLEMENTED?

☒ YES ☐ NO ☐ NO PLAN AVAILABLE

5. DATE SPCC PLAN WAS IMPLEMENTED

8-17-05

C. INSPECTION**1. INITIATION:** ☐ ROUTINE SURVEILLANCE ☐ COAST GUARD INFORMATION

☐ SPILL REPORT ☐ CITIZEN COMPLAINT ☒ OTHER (specify) Multi-media inspection

2. TYPE: ☒ PLAN PREPARATION ☐ PLAN IMPLEMENTATION

☐ FOLLOW-UP ☐ PLAN AMENDMENT

3. INDIVIDUAL CONTACTED ???**TITLE****3a. INDIVIDUAL CONTACTED****TITLE****4. NOTIFICATION**

Contact made by John Gierczak

5. FINDINGS**FACILITY IN APPARENT COMPLIANCE WITH SPCC REQUIREMENTS:**

☐ YES

☐ HAVE ADEQUATE PLAN

☐ NOT SUBJECT TO REGULATIONS

☐ INSUFFICIENT STORAGE

☐ NO REASONABLE SPILL EXPECTATION

☐ PLAN FULLY IMPLEMENTED

☐ NEW FACILITY OPERATIONAL FOR LESS THAN 6 MONTHS

☒ NO

☐ NO PLAN

☐ PLAN NOT PROPERLY CERTIFIED

☐ PLAN DOES NOT HAVE MANAGEMENT APPROVAL

☐ PLAN NOT MAINTAINED AT FACILITY MANNED 8 HRS/DAY

☒ INADEQUATE PLAN (detailed SPCC plan review attached)

☐ PLAN NOT FULLY IMPLEMENTED

☐ PLAN NOT REVIEWED WITHIN 3 YEARS

☐ OTHER (EXPLAIN):

I. SPCC INSPECTION SUMMARY

(To be completed if SPCC Regulation is applicable to Facility - See 40 CFR 112.1)

6. COMMENTS:

The Cargill Plant is located on the east and west side of S. Riverside Avenue in St. Clair, Michigan and on the right bank of the St. Clair River. The facility is shown on the USGS St.Clair 7.5-minute Quadrangle at Latitude 42° 49' 00" N., Longitude -82° 29' 15" W. The facility is secured with chain-link fencing, locked and guarded gates and has adequate lighting. Staff is on site 24-hours-a-day, 7-days-a-week.

The site inspection commenced at 1300 on April 4, 2006 and was concluded at 1630 on the same date. The kickoff meeting was attended by Anthony Hodny, EHS Coordinator; Wade Richards, Power House Supervisor; Don Chutas, Plant Manager; and Daniel Taylor, Facility Manager, all for Cargill; and, by John Gierczak, US EPA; and, Phillip Wicklein, Region 5, US EPA SEEP, SPCC inspector from Chicago. Credentials were exchanged and an "Acknowledgement and Record of SPCC Inspection/Plan Review" was completed and signed by Mr. Chutas. An EPA guidance packet was given to Mr. Chutas. The packet contained a Memorandum with US EPA contact addresses and telephone numbers, the 2002 40 CFR Part 112 SPCC regulations, a sample SPCC plan, a Substantial Harm form, a National Response Center poster, and a US EPA Small Business Resource handout. Initially, Mr. Wicklein went through the Field Inspection Checklist with the assembled Cargill personnel, prior to starting the physical field inspection. Mr. Chutas granted permission to take photographs of the facility.

The physical field inspection commenced at about 1500 and concluded at about 1630. Mr. Richards and Mr. Hodny accompanied Mr. Wicklein and Mr. Gierczak on the field inspection of the Cargill plant and Mead Brine Field at Range and Puddygut Roads. All the oil-storage tanks and their containment were inspected. The tanks had level gages. All the tanks on the facility were in secondary containment except for the transformer T1 which is located within 100 feet of a stormwater sewer drain. The certifying engineer needs to ensure that the loading/unloading areas for the "green tank," and the fuel tank at the Mead Brine Field follow 40 CFR 112.7(c). Likewise, a positive means to contain a potential release from transformer T1 be constructed.

Daily inspections of the site ensure discovery and rapid spill cleanup. Spill response kits and absorbents are located in several key places on the facility, and the appropriate personnel is trained in their employment.

NAME OF INSPECTOR (signature)

DATE OF DOCUMENTATION REPORT

April 13, 2006

NAME OF INSPECTOR (print)

Phillip Wicklein

INSPECTOR'S TITLE

SPCC Inspector

II. DETAILED SPCC DOCUMENTATION

A. FACILITY DESCRIPTION

1. TOTAL NUMBER OF TANKS AND TOTAL OIL STORAGE CAPACITIES

Green Diesel Fuel Tank - 1,000-gallons

Red double-walled Fire-pump tank - 500-gallons

5,000-gallon diesel AST in the Mead Brine Field

Various 65-gallon and smaller drums and containers inside buildings.

Transformer oil reservoirs located inside buildings. Only transformer T1 is located outside containment.

*If the inspector received and is attaching a tank listing from the facility, has the inspector verified the list ? ☐ YES ☒ NO

2. PREVENTION MEASURES PROVIDED There is catchment for the ASTs, fencing, lighting, locked gates, inspection procedures, diking and storm-water retention and inspection, tank gages, site and tank inspections, product compatible tank construction, written inspection procedures and records, high-level alarms, coatings for underground piping, unattended pumps and valves locked, personnel trained for product handling and spill response, out of service piping blank flanged, and oil-water separator serve at least one loading area.

3. APPEARANCE OF FACILITY (housekeeping)

Facility is neat and clean.

4. PAST SPILL HISTORY 12-13-02 600-gallons of diesel fuel was spilled at the site of the "green tank" (see photograph 1). The recommended "Do Not Leave Area Unattended While Fueling" signs were not evident during the current inspection. The other recommendation is to build temporary containment when portable air compressor is in use.

B. RECEIVING WATER

1. NPDES NO. ☐ NOT APPLICABLE

St. Clair River MI0001031

2. NAME AND/OR DESCRIPTION

☒ Perennial ☐ Intermittent

☒ Water present at time of inspection

☐ Inspector traced discharge to receiving water

☐ Inspector traced apparent drainage path to receiving water

☐ Receiving water identified by company representative

☒ Receiving water identified from topo map

☐ Receiving water identified by other means (specify):

3. PROBABLE FLOW PATH TO RECEIVING WATER

The plant discharges to the St. Clair River. The Mead Brine Field discharges to a southeast drainage that runs for about ½ mile into Rankin Drain and then about a mile down Rankin Drain and into the St. Clair River.

4. HOURS FACILITY IS MANNED 24/7 at the St. Clair plant and occasionally at the Mead Brine Field.

ATTACHMENT 1
ACKNOWLEDGMENT OF INSPECTION

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

OIL PLANNING AND RESPONSE SECTION (SE-5J)

77 West Jackson Boulevard

Chicago, Illinois 60604

ACKNOWLEDGEMENT AND RECORD OF SPCC INSPECTION/PLAN REVIEW

INSPECTOR/TITLE: (1) Phillip Wicklein / SPCC Inspector

INSPECTOR/TITLE: (2) _____

FACILITY NAME: Cargill Salt

STREET: 916 South Riverside Avenue

CITY: St. Clair COUNTY: St. Clair STATE: MI ZIP: 48079-5335

FACILITY CONTACT/TITLE: Don Chutas

TELEPHONE NUMBER: 810 326 2829 INSPECTION DATE: April 4, 2006

LATITUDE: 42° 49' 00s LONGITUDE: 082° 29' 15s

OWNER/OPERATOR: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ TELEPHONE NUMBER: () _____

Is this facility required to have an SPCC Plan? (Y) N

During this inspection a copy of the facility's SPCC Plan was made available for in-house review by the Inspector. (Y) N

A copy of the SPCC Plan was provided to the inspector. Y / N

If not, a copy of the SPCC Plan will be forwarded by certified mail, return receipt requested, within 14 days to SPCC Inspector (1) at the address on this letterhead.

Any future questions should be addressed to the inspector(s).

ACKNOWLEDGEMENT

I acknowledge that an SPCC inspection was conducted at this facility on April 4, 2006, and I acknowledge that I received a copy of 40 CFR 112, contained within the information packet.

Facility Signature: Donald J. Chutas (Printed name): DONALD J. CHUTAS

Title: PLANT MANAGER

Inspector's Signature: Phillip Wicklein (Printed name): Phillip Wicklein

(ORIGINAL TO SPCC INSPECTOR, COPY TO FACILITY REPRESENTATIVE)

ATTACHMENT 2
FIELD CHECKLIST

FIELD CHECKLIST

SPCC PLAN ADMINISTRATIVE INFORMATION

Facility Name: <i>Cargill SDIT</i>	Facility Contact: <i>Don Chutas</i>
Facility Address: <i>916 S. Riverside Ave.</i>	Telephone Number: <i>(810) 326-2829</i>
City: <i>St. Clair</i>	State: <i>MI</i> Zip Code: <i>48079</i>

Facility start-up date: <i>1986</i>	SPCC Plan required date: <i>1974</i>
AST Storage Capacity: <i>8,000</i>	UST Storage Capacity: <i>No</i>
Annual oil throughput: <i>1/2</i> or <input type="checkbox"/> N/A	Other Oil Storage: or <input checked="" type="checkbox"/> N/A

SPCC Plan prepared: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	SPCC Plan available for review: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SPCC Plan available (during a normal 8 hr day)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	SPCC Plan maintained on site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Facility is: ☐ Unattended ☒ Attended - ☐ Daily (8 hrs) ☒ Daily (24 hrs) ☐ Periodically (_____)

SPCC Plan certified? (112.3(d)) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date of Certification: <i>12-3-04</i>
---	---------------------------------------

Name of Professional Engineer: *David A Lomas*

License Number: <i>43178</i>	State: <i>MI</i>
------------------------------	------------------

SPCC Plan reviewed every three years? [112.5(b)] <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Plan amended? [112.5(b)] <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Amendment certified? [112.5(c)] <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	SPCC Plan review sign-off? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Name of Last Reviewer: <i>Donald Chutas</i> Title: <i>Plant Manager</i> <i>8-17-05</i>
---	---

Does the SPCC Plan indicate that management has approved the plan? ☒ Yes ☐ No

Management Person's Name: *Don Chutas*

Management Person's Title: *Plant Manager*

Have there been discharges at this Facility? ☒ Yes ☐ No

If YES, provide date(s), spill size (gal), and source of information

Date: 12-13-02 Spill size (gal): 1000 diesel Info. Source: Company

Date: _____ Spill size (gal): _____ Info. Source: _____

Date: _____ Spill size (gal): _____ Info. Source: _____

Have there been reportable spills at this Facility per 40 CFR Part 110? ☐ Yes ☒ No

Has the Facility had a reportable spill of more than 1,000 gallons in the past 12 months? ☐ Yes ☒ No

If YES, provide: Date of Spill: _____

Was spill information submitted within 60 days? [112.4(a)]

☐ Yes ☐ No ☒ N/A

Was the plan amended? [112.4(d)]

☐ Yes ☐ No ☐ Not Required ☒ N/A

If yes, was the amendment certified? [112.5(c)]

☐ Yes ☐ No

Has the facility had 2 reportable spills of harmful quantities in the past 12 months?

☐ Yes ☒ No If YES, provide: Date of Spill: _____

Was spill information submitted within 60 days? [112.4(a)]

☐ Yes ☐ No ☒ N/A

Was the plan amended? [112.4(d)]

☐ Yes ☐ No ☐ Not Required ☒ N/A

If yes, was the amendment certified? [112.5(c)]

☐ Yes ☐ No

Has there been a change in facility design, construction, operation, or maintenance which could affect the facility's potential for discharge? (112.5(a)) ☐ Yes ☒ No

If YES, describe: _____

Date of Latest Change:

Date Plan Amended:

Amended within 6 months of change? [112.5(a)]

☐ Yes ☐ No ☒ N/A

Amendment Certified? [112.5(c)]

☐ Yes ☐ No ☒ N/A

CHECKLIST FOR VERIFYING COMPLIANCE WITH SPCC PLAN REQUIREMENTS

REVIEW ITEMS	ADEQUATELY ADDRESSED					
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
GENERAL TOPICS, 112.7(a-d)						
(a) Written description of spill events within previous 12 months, corrective action taken and plans for preventing recurrence			✓			
(b) Prediction of direction, rate of flow, and total quantity of oil which could be discharged from the facility						
(c) Appropriate containment and/or diversionary structures or equipment to prevent discharged oil from reaching navigable waters:	✓			✓		
(1) Onshore facilities						
(i) Dikes, berms, or retaining walls sufficiently impervious to contain spilled oil	✓			✓		
(ii) Curbing		✓			✓	
(iii) Culverting, gutters, or other drainage systems		✓			✓	
(iv) Weirs, booms, or other barriers		✓			✓	
(v) Spill diversion ponds		✓			✓	
(vi) Retention ponds		✓			✓	
(vii) Sorbent materials	✓			✓		
(2) Offshore facilities						
(i) Curbing, drip pans						
(ii) Sumps and collection systems						
(d) Impracticability demonstrated						

REVIEW ITEMS	ADEQUATELY ADDRESSED					
	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.						
(1) Contingency plan	✓					
(2) Written commitment of manpower, equipment, and materials	✓					

Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.

INSPECTIONS AND RECORDS, 112.7(e)(8) (See Section III, Section 1.8)	YES	NO	N/A	YES	NO	N/A
• Inspections in accordance with written procedures developed for the Facility	✓					
• Written procedures and a record of inspections signed by the appropriate supervisor or inspector	✓					
• Written procedures and a record of inspections made part of the SPCC Plan	✓					
• Written procedures and a record of inspections maintained for a period of three (3) years	✓					

Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.

PERSONNEL TRAINING AND SPILL PREVENTION PROCEDURES, 112.7(e)(10)	YES	NO	N/A	YES	NO	N/A
(i) Training on the operation and maintenance of equipment to prevent the discharges of oil and applicable pollution control laws, rules, and regulations	✓					

REVIEW ITEMS	ADEQUATELY ADDRESSED					
	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.						
(ii) Designated person accountable for spill prevention						
(iii) Spill prevention briefings scheduled periodically	✓					

Please use the following space to note any missing or incomplete information.

FACILITY DRAINAGE, ONSHORE (excluding Production Facilities) 112.7(e)(1)	YES	NO	N/A	YES	NO	N/A
(i) Drainage from diked storage areas via manually operated valves of open and closed design (Note: flapper-type valves should not be used)	✓		✓			✓
Diked storage areas emptied by manually operated pumps or ejectors	✓		✓			✓
(ii) Storm water inspected prior to discharge into open water from the diked storage areas			✓			✓
(iii) Drainage flows from undiked areas into ponds, lagoons or catchment basins located away from flood areas	✗		✓			✓
(iv) If plant drainage not engineered as above, final discharge of all in-plant ditches should be equipped with a diversion system to return spills to the facility		✓			✓	
(v) Natural hydraulic flow used where drainage waters treated in more than one treatment unit			✓			✓
If pump transfer needed, two "lift" pumps provided (one pump should be permanently installed when treatment is continuous)			✓			✓

Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.

REVIEW ITEMS	ADEQUATELY ADDRESSED					
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
BULK STORAGE TANKS, ONSHORE (excluding production facilities), 112.7(e)(2) Note: See Tank and Secondary Containment Forms.						
(i) Material and construction of tanks are compatible to the oil stored and the conditions of storage such as pressure and temperature, etc.	✓					✓
(ii) Tank installations have secondary containment provided for the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation	✓					✓
Diked areas sufficiently impervious	✓					✓
(iii) Drainage of rainwater from diked areas into storm drain that discharges to open water may be acceptable if:						
(A) Bypass valve normally sealed closed			✓			✓
(B) Run-off rainwater inspected for compliance with applicable water quality standards			✓			✓
(C) Bypass valve is opened and resealed properly following drainage			✓			✓
Please use the following space to note any missing or incomplete information and to assess the information provided based on the field inspection.						
(iv) Underground tanks						
• Regulated, by State, pursuant to 40 CFR 280						
• Protected from corrosion by coatings, cathodic protection, or other means						

REVIEW ITEMS	ADEQUATELY ADDRESSED					
<p>Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.</p>	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
• Tank Containment System	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
• Monitoring Wells	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
• Electronic Monitoring System		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
• Periodic Tightness Testing			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
<p>Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.</p>						
(v) Partially buried tanks	YES	NO	N/A	YES	NO	N/A
• Buried sections protected from corrosion by coatings, cathodic protection, or other means compatible with soil conditions			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
<p>Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.</p>						
(vi) Aboveground tanks	YES	NO	N/A	YES	NO	N/A
• Visual inspections of outside of tanks are performed	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		
<p>Periodic integrity testing</p> <p> <input type="checkbox"/> Hydrostatic <input type="checkbox"/> Magnetic-particle <input type="checkbox"/> Ultrasonic <input type="checkbox"/> Penetrant-dye <input type="checkbox"/> Radiographic <input type="checkbox"/> Laser <input type="checkbox"/> Acoustic Emissions <input checked="" type="checkbox"/> Visual <input type="checkbox"/> Other: _____ </p>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		
<p>Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.</p>						

REVIEW ITEMS	ADEQUATELY ADDRESSED					
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
(vii) Internal heating coils utilized						
(A) Steam return/exhaust monitored for contamination or passes through a skimmer or retention system.			✓			✓
(B) External heating system utilized			✓			✓
(viii) Tanks are "fail-safe" engineered <i>(See Section III, Section 1.62)</i>		✓			✓	
(A) Audible high liquid level alarm		✓			✓	
Visual high liquid level alarm		✓			✓	
(B) Automatic high liquid level pump cutoff	✓			✓		
(C) Communications (direct audible or call signal) between gauger and pumping station			✓			✓
Fast response system of determining liquid level in tanks such as sensing devices (i.e., low, high)						
(D) Direct vision gauges	✓			✓		
(E) Sensing devices and/or gauges regularly tested	✓			✓		
Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.						

REVIEW ITEMS	ADEQUATELY ADDRESSED					
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
(ix) Effluent discharges to navigable waters observed frequently to detect oil spills	✓			✓		
(x) Visible oil leaks, which cause accumulation of oil in diked areas, promptly corrected			✓			✓
Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.						
(xi) Mobile or portable oil storage tanks	YES	NO	N/A	YES	NO	N/A
• Positioned to prevent spilled oil from reaching navigable water	✓			✓		
• Secondary means of containment	✓			✓		
• Located in an area not subject to periodic flooding	✓			✓		
Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.						
FACILITY TRANSFER OPERATIONS, PUMPING, AND IN-PLANT PROCESSES, ONSHORE (excluding Production Facilities) 112.7(e)(3)	YES	NO	N/A	YES	NO	N/A
(i) Buried pipelines corrosion protected		✓			✓	
(ii) Not-in-service pipelines capped, blank-flanged, and marked as to their origin			✓			✓

REVIEW ITEMS	ADEQUATELY ADDRESSED					
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
(iii) Pipe supports designed to minimize abrasion and corrosion, and allow for expansion and contraction			✓			✓
(iv) Aboveground valves and pipelines inspected regularly Frequency: <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually <input type="checkbox"/> Other: _____			✓			✓
• Spill containment system provided (check all that apply) <input type="checkbox"/> Curbing <input type="checkbox"/> Drip pans <input checked="" type="checkbox"/> Sorbents <input type="checkbox"/> None <input type="checkbox"/> Other: _____	✓			✓		
• Periodic pressure testing of the valves and pipelines conducted Frequency: <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually <input type="checkbox"/> Other: _____		✓			✓	
(v) Vehicle traffic warned of aboveground and belowground pipelines (e.g., signs)			✓			✓
Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.						
FACILITY TANK CAR AND TANK TRUCK LOADING/UNLOADING RACK, ONSHORE, 112.7(e)(4)	YES	NO	N/A	YES	NO	N/A
(i) Tank car and tank truck loading/unloading procedures meet minimum DOT requirements			✓			✓
(ii) Rack drainage flows to catchment basin or treatment system or			✓			✓

REVIEW ITEMS	ADEQUATELY ADDRESSED					
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
Rack drainage flows into quick drainage system and secondary containment provided to hold the maximum capacity of any single compartment of tank car or truck loaded at the facility.			✓			✓
(iii) System to prevent departure before complete disconnect from transfer lines:			✓			✓
• Interlock brake system (e.g. locking of air brakes)			✓			✓
• Physical barrier system (i.e. wheel chocks)			✓			✓
• Warning lights and/or signs			✓			✓
• Automatic shutdown system located at the tank vehicle loading rack			✓			✓
(iv) Vehicle inspection prior to transfer and departure			✓			✓
Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.						
SECURITY (excluding Production Facilities) 112.7(e)(9) (See Section III, Section 1.10)	YES	NO	N/A	YES	NO	N/A
(i) Facility fully fenced	✓			✓		
Entrance gates locked and/or guarded		✓			✓	
(ii) Master flow and drain valves secured in closed position when in a non-operating or standby status			✓			✓
(iii) Starter controls on pumps locked in the "off" position or located at a site accessible only to authorized personnel when in non-operating or standby status			✓			✓

REVIEW ITEMS	ADEQUATELY ADDRESSED					
Note: Section numbers indicated below correspond to sections in the SPCC regulation at 40 CFR Part 112.	PLAN			FIELD		
	YES	NO	N/A	YES	NO	N/A
(iv) Transfer connection(s) of pipelines capped or blank-flanged when not in service			✓	✓		✓
(v) Facility lighting adequate to facilitate the discovery of spills and to deter vandalism			✓	✓		
Please use the following space to note any missing or incomplete information and to assess the accuracy of the information provided based on the field inspection.						

Additional Inspector Comments:

SPCC Inspector's Signature: _____

SPCC Inspector's Name: _____

Date: _____

**ATTACHMENT 3
FACILITY'S SPCC PLAN**

ATTACHMENT 4
PHOTOLOG

Photo Log Field Sheet

Facility: Cargill Salt, 916 S. Riverside Ave., St. Clair, MI 48079

Photographer/s: Phillip Wicklein

Witness/es: John Gierczak (JG),
US EPA; Wade D. Richards
(WR) and Anthony Hodny (AH) of
Cargill

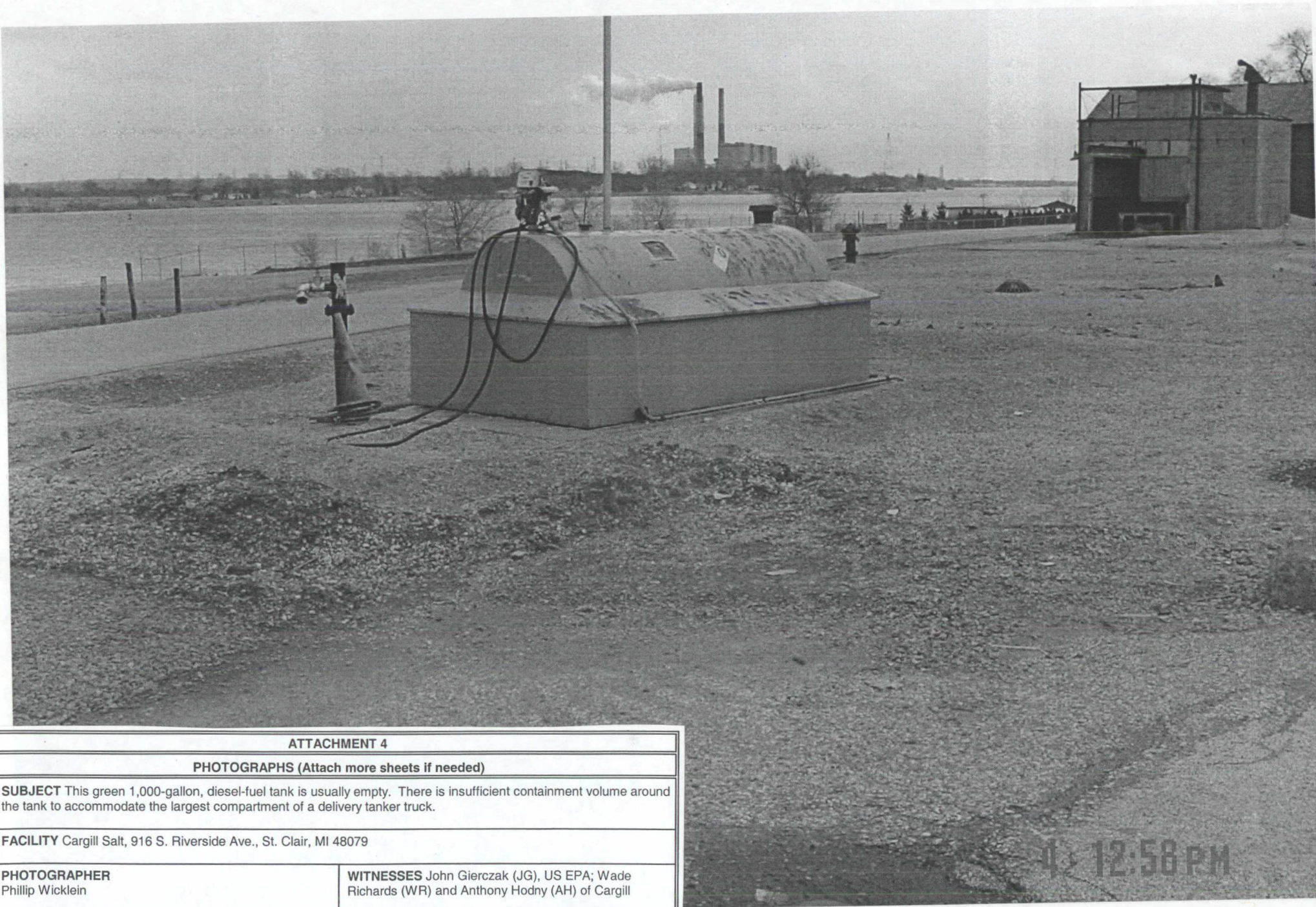
The time stamp on the photographs is set on Central Standard Time. The photographs were actually taken on Eastern Daylight Savings Time, or two hours later than the time shown.

Date: 4-4-06

Camera: Sony digital

Film:

<u>Photo #</u>	<u>Direction & Time</u>	<u>Subject</u>	<u>Witnesses</u>	<u>Date</u>
1-DSC02762	SE 1458	Green 1 K diesel tank	KG, WR, & AH	4-4-06
2-DSC02763	N 1515	Red 500-gal fire pump fuel tank	" "	" "
No photo taken		Sewer in street adjacent to Transformer T1	KG, WR, & AH	4-4-06
3-DSC02764	S 1533	Mead Brine Field padding	" "	" "
4-DSC02765	S 1548	Mead Brine Field catchment area	" "	" "



ATTACHMENT 4

PHOTOGRAPHS (Attach more sheets if needed)

SUBJECT This green 1,000-gallon, diesel-fuel tank is usually empty. There is insufficient containment volume around the tank to accommodate the largest compartment of a delivery tanker truck.

FACILITY Cargill Salt, 916 S. Riverside Ave., St. Clair, MI 48079

PHOTOGRAPHER
Phillip Wicklein

WITNESSES John Gierczak (JG), US EPA; Wade Richards (WR) and Anthony Hodny (AH) of Cargill

DATE 4-4-06

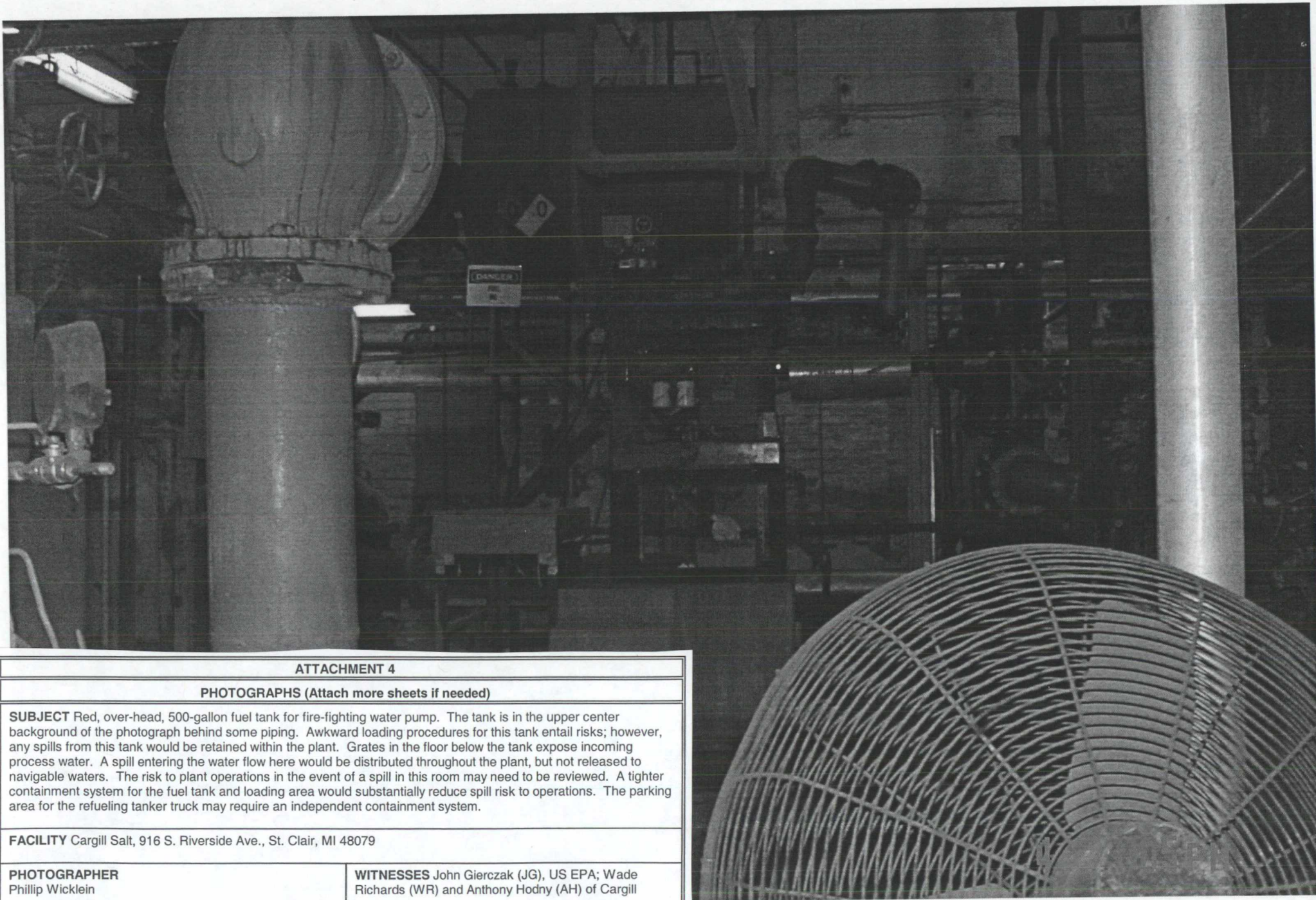
TIME
1458

DIRECTION
Southeast

CAMERA Sony
digital

FILM

PHOTOGRAPH NO.
1-DSC02762



ATTACHMENT 4

PHOTOGRAPHS (Attach more sheets if needed)

SUBJECT Red, over-head, 500-gallon fuel tank for fire-fighting water pump. The tank is in the upper center background of the photograph behind some piping. Awkward loading procedures for this tank entail risks; however, any spills from this tank would be retained within the plant. Grates in the floor below the tank expose incoming process water. A spill entering the water flow here would be distributed throughout the plant, but not released to navigable waters. The risk to plant operations in the event of a spill in this room may need to be reviewed. A tighter containment system for the fuel tank and loading area would substantially reduce spill risk to operations. The parking area for the refueling tanker truck may require an independent containment system.

FACILITY Cargill Salt, 916 S. Riverside Ave., St. Clair, MI 48079

PHOTOGRAPHER
Phillip Wicklein

WITNESSES John Gierczak (JG), US EPA; Wade Richards (WR) and Anthony Hodny (AH) of Cargill

DATE 4-4-06

TIME
1515

DIRECTION
North

CAMERA Sony
digital

FILM

PHOTOGRAPH NO.
2-DSC02763

ATTACHMENT 4**PHOTOGRAPHS (Attach more sheets if needed)**

SUBJECT Transformer T1 is located on the west side of Riverside Avenue across from the main plant. There is no containment for this transformer. A sewer on the west side of Riverside Avenue about 50 to 75-ft down-slope from Transformer T1 would likely take any oil released during a rain event. An engineer should review the means of preventing or trapping a release from the transformer.

FACILITY Cargill Salt, 916 S. Riverside Ave., St. Clair, MI 48079

PHOTOGRAPHER
Phillip Wicklein

WITNESSES John Gierczak (JG), US EPA; Wade Richards (WR) and Anthony Hodny (AH) of Cargill

DATE 4-4-06

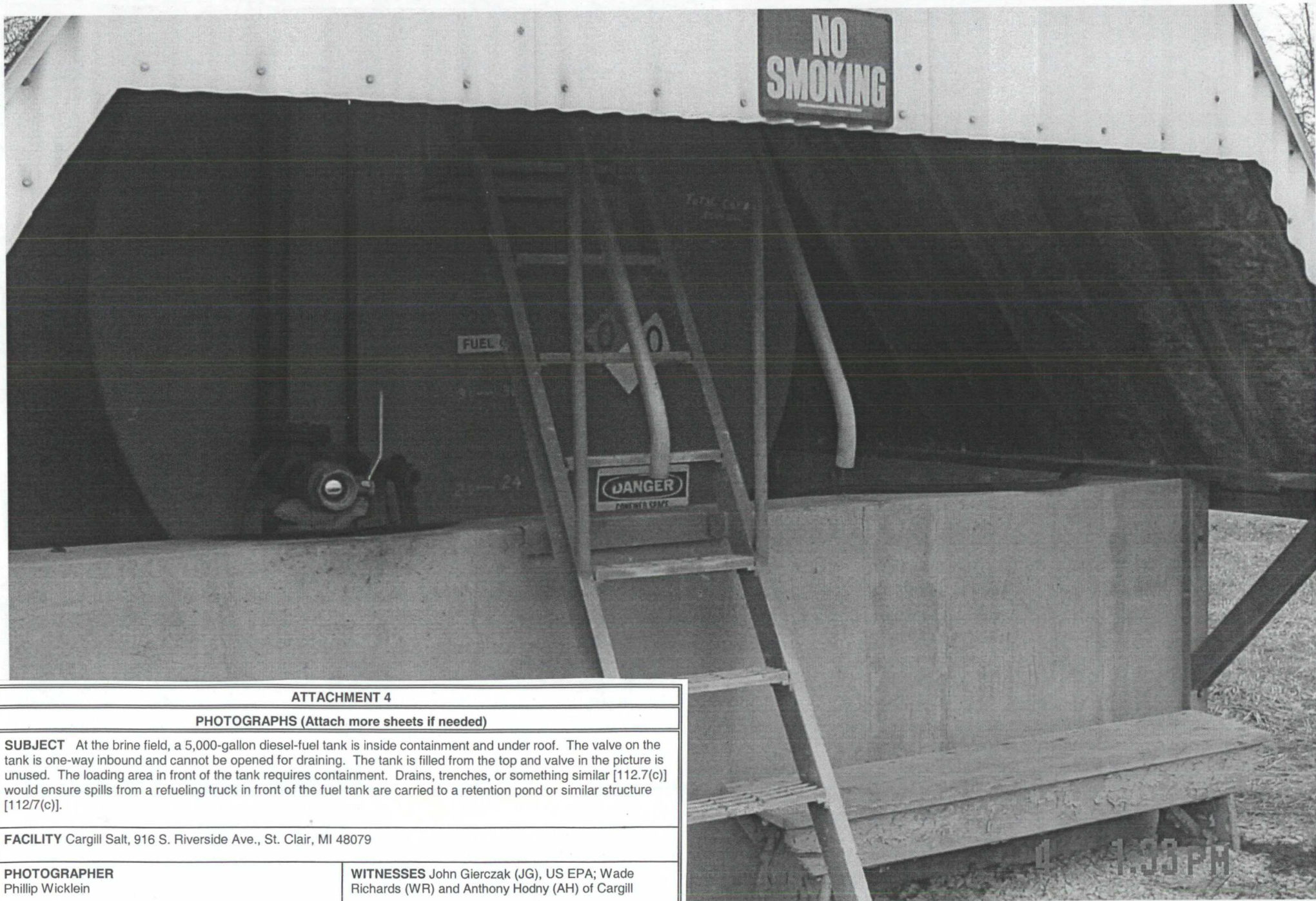
TIME
1520

DIRECTION

CAMERA

FILM

PHOTOGRAPH NO.
No photograph taken



ATTACHMENT 4

PHOTOGRAPHS (Attach more sheets if needed)

SUBJECT At the brine field, a 5,000-gallon diesel-fuel tank is inside containment and under roof. The valve on the tank is one-way inbound and cannot be opened for draining. The tank is filled from the top and valve in the picture is unused. The loading area in front of the tank requires containment. Drains, trenches, or something similar [112.7(c)] would ensure spills from a refueling truck in front of the fuel tank are carried to a retention pond or similar structure [112.7(c)].

FACILITY Cargill Salt, 916 S. Riverside Ave., St. Clair, MI 48079

PHOTOGRAPHER
Phillip Wicklein

WITNESSES John Gierczak (JG), US EPA; Wade Richards (WR) and Anthony Hodny (AH) of Cargill

DATE 4-4-06

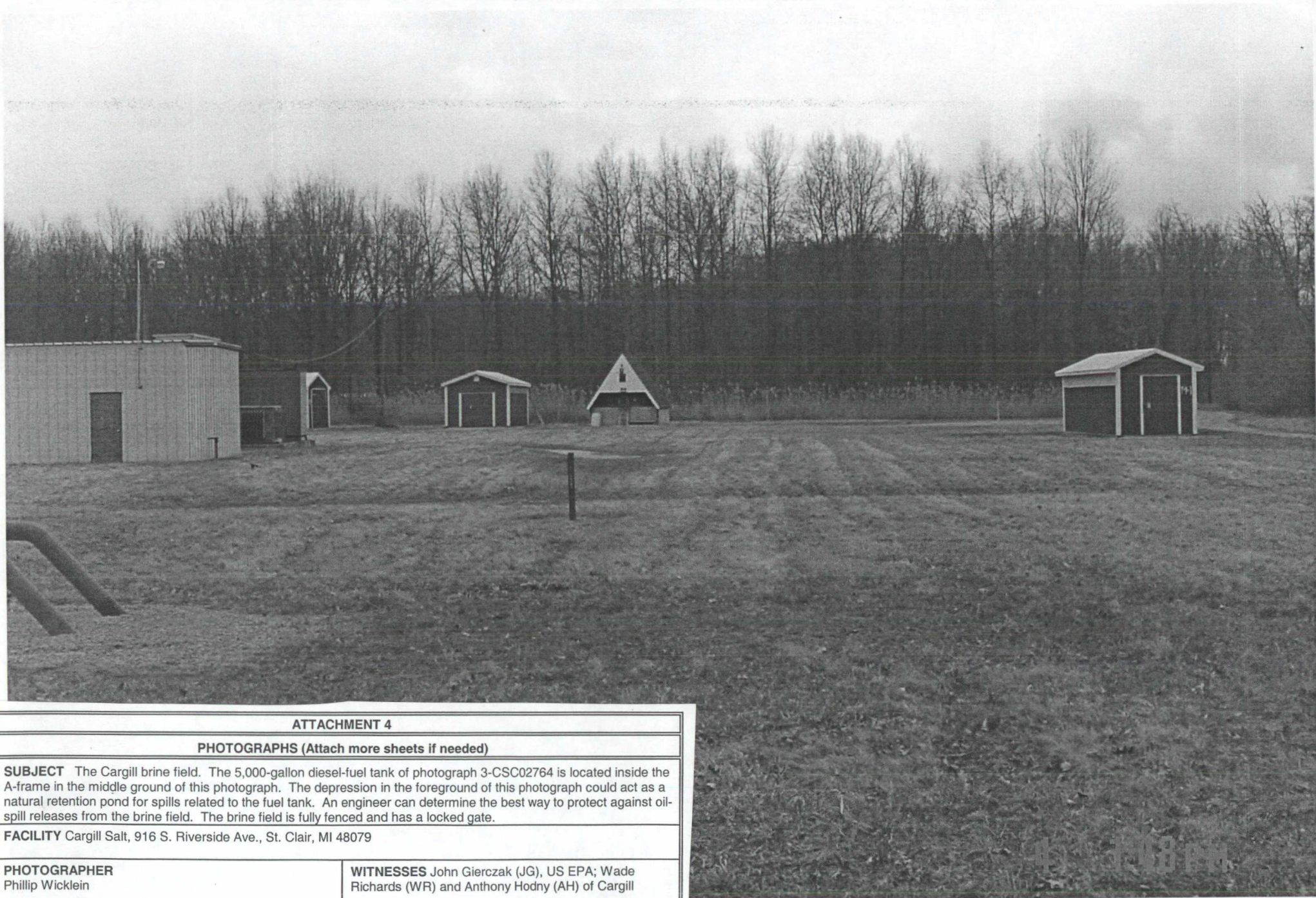
TIME
1533

DIRECTION
South

CAMERA Sony
digital

FILM

PHOTOGRAPH NO.
3-DSC02764



ATTACHMENT 4

PHOTOGRAPHS (Attach more sheets if needed)

SUBJECT The Cargill brine field. The 5,000-gallon diesel-fuel tank of photograph 3-CSC02764 is located inside the A-frame in the middle ground of this photograph. The depression in the foreground of this photograph could act as a natural retention pond for spills related to the fuel tank. An engineer can determine the best way to protect against oil-spill releases from the brine field. The brine field is fully fenced and has a locked gate.

FACILITY Cargill Salt, 916 S. Riverside Ave., St. Clair, MI 48079

PHOTOGRAPHER
Phillip Wicklein

WITNESSES John Gierczak (JG), US EPA; Wade Richards (WR) and Anthony Hodny (AH) of Cargill

DATE 4-4-06

TIME
1548

DIRECTION
South

CAMERA Sony
digital

FILM

PHOTOGRAPH NO.
4-DSC02765

ATTACHMENT 5
MAPS

ATTACHMENT 5

FIELD DRAWINGS (Attach more sheets if needed, and show north arrow of other orientation)



Map 1 : St. Clair, Michigan Location Maps

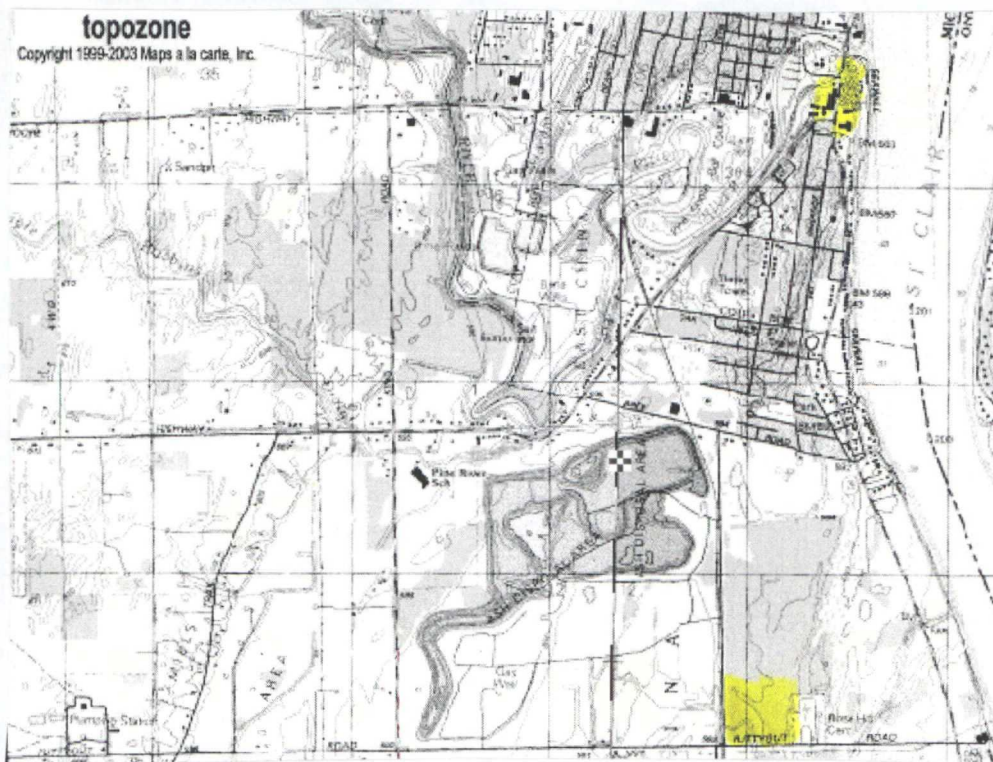
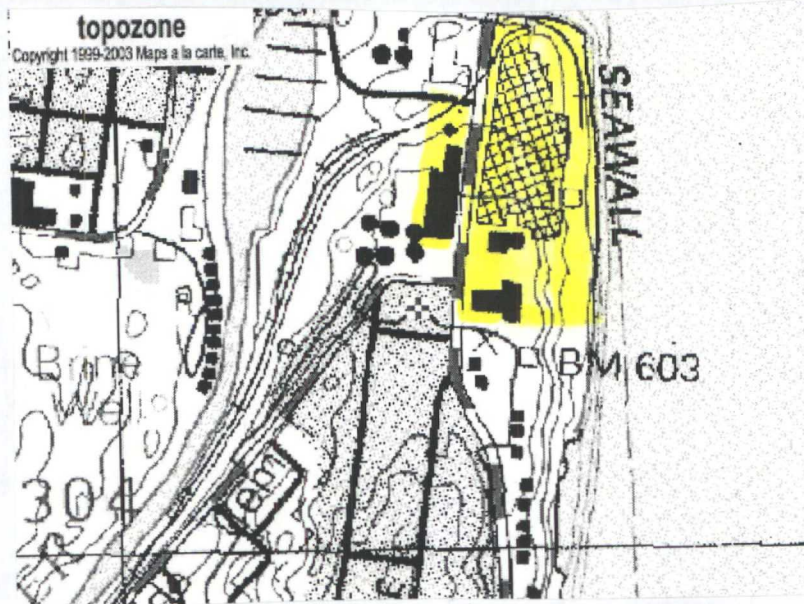
FACILITY Cargill Salt, 916 Riverside Ave., St. Clair, Michigan

INSPECTION DATE April 4, 2006

INSPECTOR Phillip Wicklein

ATTACHMENT 5

FIELD DRAWINGS (Attach more sheets if needed, and show north arrow of other orientation)



M=-7.818
G=-1.011

0 1 2 3

Map 2 : Cargill Salt Plant (upper) and small-scale topographic map showing Plant and Mead Brine Field locations (lower).

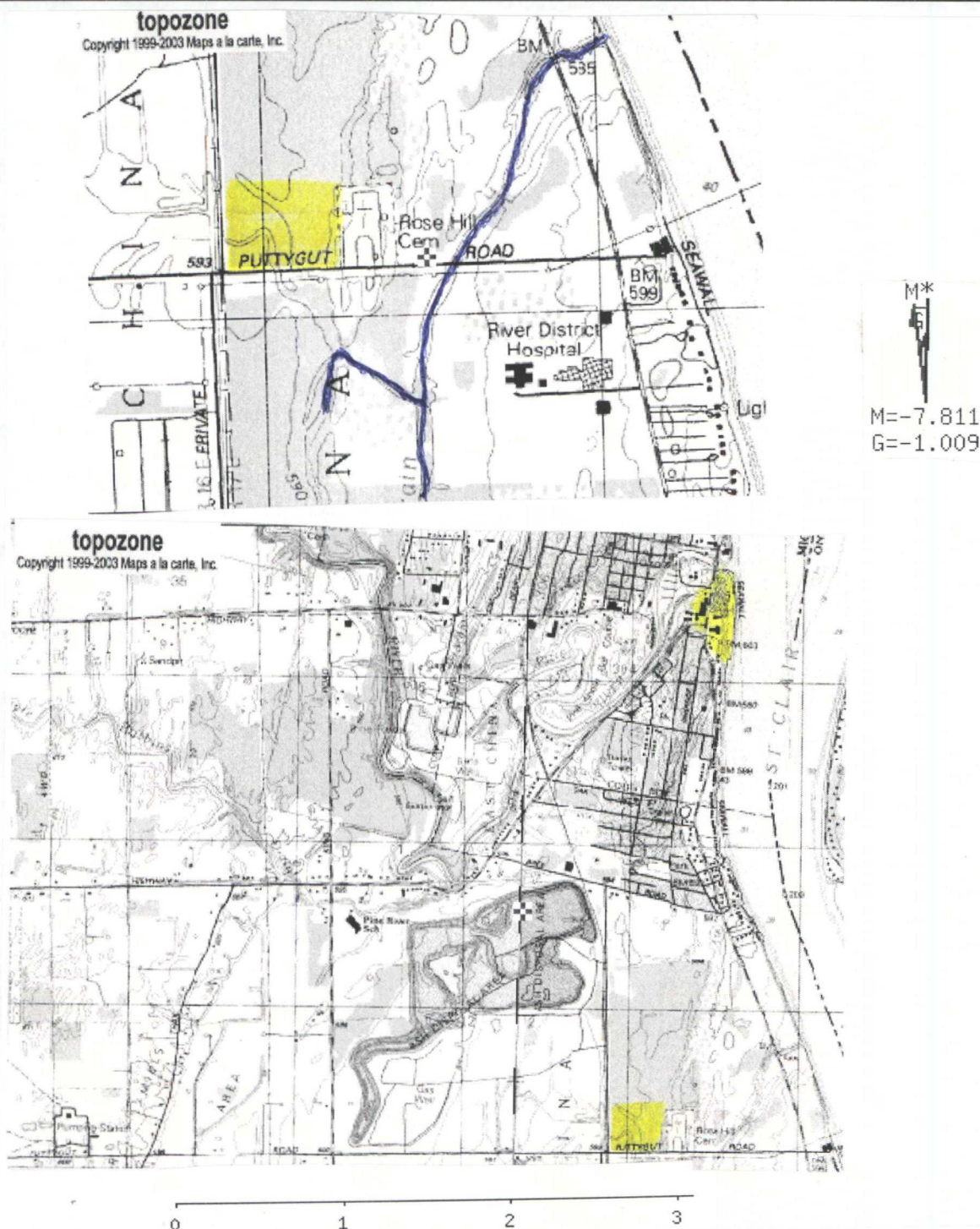
FACILITY Cargill Salt, 916 Riverside Ave., St. Clair, Michigan

INSPECTION DATE April 4, 2006

INSPECTOR Phillip Wicklein

ATTACHMENT 5

FIELD DRAWINGS (Attach more sheets if needed, and show north arrow of other orientation)



Map 3 : Mead Brine Field location (upper) showing Rankin Drainage, and small-scale topographic map showing Plant and Mead Brine Field (lower).

FACILITY Cargill Salt, 916 Riverside Ave., St. Clair, Michigan

INSPECTION DATE April 4, 2006

INSPECTOR Phillip Wicklein

ATTACHMENT 6
OIL STORAGE LISTING
(see report)

ATTACHMENT 7
CONTAINMENT CALCULATIONS

ATTACHMENT 8
LETTER OF DEFICIENCY

Photo Log Field Sheet

Facility: Delta Fuels of Michigan
Photographer/s: Phillip Wicklein

Witness/es: *John Anthony Hodny*
Wade Richards

Date: April 3, 2006

Camera:

Film:

<u>Photo #</u>	<u>Direction & Time</u>	<u>Witnesses</u>	<u>Subject</u>	<u>Date</u>
1	SE 1502		green diesel 1.000K	4-3-06

2	1505	Top road	fine pump 500 gal.	
---	------	-------------	-----------------------	--

April 3/06

street corner plan T1

3	S 1530			
---	--------	--	--	--

*Mead field 5K diesel
well producing*

rotated

March 23, 2006
Draft - Subject to Revision

***** ENFORCEMENT CONFIDENTIAL *****

PROJECT PLAN

**MULTIMEDIA COMPLIANCE INSPECTION
CARGILL SALT, INC.
916 SOUTH RIVERSIDE AVENUE
ST. CLAIR, MICHIGAN**

Date

INTRODUCTION

The USEPA, Region 5 Enforcement and Compliance Assurance Team (ECAT) has requested that a multimedia compliance inspection (MMI) be performed at Cargill Salt, Inc. (Cargill), located in St. Clair, Michigan.

The specific objectives of the inspection are to evaluate compliance with:

- Air Pollution Control regulations under the Clean Air Act (CAA) and the Federally approved portions of Michigan's State Implementation Plan
- Water pollution control regulations under the Clean Water Act (CWA), including National Pollutant Discharge Elimination System (NPDES) permit requirements and Spill Prevention Control and Countermeasure (SPCC) regulations
- Hazardous waste management regulations under the Resource Conservation and Recovery Act (RCRA) and Rules adopted under the State of Michigan's hazardous waste program
- Emergency Planning and Community Right-to-Know Act (EPCRA) regulations in 40 CFR Parts 355 and 370 and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) release notification requirements for hazardous substances in 40 CFR Part 302

Compliance with other applicable environmental regulations may also be evaluated as part of the MMI.

BACKGROUND

Cargill's St. Clair Facility solution-mines and produces packaged salt (sodium chloride) for various applications. The facility operates under Standard Industrial Classification Code 2899 (Chemicals and Chemical Preparations, Not Elsewhere Classified).

Brine is obtained from off-site solution wells and sent to on-site brine holding tanks where it is treated with lime and soda. The treated brine is routed to vacuum pan evaporation systems that concentrates the brine into a slurry. The slurry is processed in a wash tank where surface impurities are removed. The washed slurry is dried and then sent to various processing operations that include screening, grinding, conveying, compaction, and packaging. Finished products are bagged and shipped from the facility by rail and truck.

Facility air emission sources are regulated under Renewable Operating Permit Number 199700084, which was issued by the Michigan Department of Environmental Quality (MDEQ). The permit became effective on April 4, 2003 and expires on April 4, 2008.

In March of 2001, Cargill and the MDEQ entered into Consent Order AQD No. 7-2001. The Consent Order identified a number of allegations made by the MDEQ's Air Quality Division which were associated with the facility's Number 5 Stoker Coal-Fired Boiler, Boiler Operations, Soda Ash Silo and certain operations subject to New Source Performance Standards in Subpart 000 of 40 CFR Part 60. Among other things, the Consent Order required Cargill to implement an approved Malfunction Abatement Plan for facility operations. On February 8, 2006, the MDEQ transmitted a Notice of Termination to Cargill for the Consent Order.

The facility discharges wastewaters to the St. Clair River under NPDES Permit Number MI0001031. The current permit was issued by the MDEQ on May 25, 2004. The permit became effective on September 1, 2004 and expires on October 1, 2008. The facility is authorized to discharge a maximum of 9 millions gallons per day of noncontact cooling water, water softener backwash, barometric condenser operations water, boiler blowdown and evaporation operations water and an unspecified amount of storm water through a single outfall designated as Outfall 001.

Part I.A.1.h of the permit includes mercury testing requirements and requires the permittee to submit a report to the MDEQ on or before November 2005 summarizing mercury monitoring data. Permit provisions in Part I.A.1.h.1 require the permittee to implement a Pollutant Minimization Program (PMP) for Total Mercury if it is determined the facility's effluent has a reasonable potential to exceed a discharge of 1.3 ng/l of total mercury. On January 11, 2006, Cargill was notified in writing that, based upon a review of the mercury monitoring data submitted by the facility, the MDEQ determined the effluent has a reasonable potential to exceed a discharge of 1.3 ng/l of total mercury and the facility shall implement the PMP for Total Mercury. Under Part I.A.3 of the permit, Cargill is required to submit an approvable PMP for mercury to the MDEQ within 180 of the written notification.

Prior to September 1, 2004, the facility discharged wastewaters to the St. Clair River under an NPDES Permit that became effective on October 1, 2000 and expired on October 1, 2003. On June 18, 2003, the MDEQ issued a Notice of Noncompliance (NON) to Cargill. According to the NON, during the period of December 5, 2002 through June 2, 2003, Discharge Monitoring Reports submitted by Cargill for Outfall 001 indicated the facility exceeded conductivity limitations in the permit on twenty three (23) occasions. The NON directed Cargill to address certain corrective measures and complete certain installations to achieve and maintain compliance with the terms and conditions of the permit. The facility's current permit requires the continued implementation of an approved PMP for Conductivity.

Cargill has reported that an SPCC Plan is one of its environmental management plans for its St. Clair operations. Information available for the Cargill St. Clair operations indicates that the site has a 1,000-gallon diesel fuel storage tank and a 600-gallon used oil storage tank located south of the facility's Building Number 1 Powerhouse. Cargill also reported that a 1000-gallon diesel fuel storage tank is located northeast of Building Number 24 and a 5,000-gallon diesel fuel storage tank is located at its Mead Brine Field.

The facility's RCRA program identification number is MID005317185. According to information provided by Cargill representatives, hazardous waste is periodically generated in an on-site laboratory and the facility currently generates used oil.

It appears that no releases have been reported to the National Response Center. In addition, the facility is no longer reporting under Section 312 of EPCRA. These areas will be further investigated as part of the MMI.

INSPECTION METHODS

The inspection objectives will be addressed by:

- A review of regulatory files and databases
- Discussion of plant operations with facility representatives/personnel
- On-site examination of facility operations
- Reviewing and obtaining copies of selected facility documents/records

After completing the on-site inspection, Region 5 inspection team members will brief the ECAT regarding preliminary findings.

Interim and final reports will be prepared by the inspection team and submitted to the ECAT subsequent to the on-site inspection. The interim report will be submitted to the ECAT at the time they are briefed regarding the preliminary inspection findings. The final report will be prepared subsequent to presenting the preliminary findings to the ECAT.

Preparation of the interim and final reports will involve the development of draft reports for review and comment by

the inspection team and Office of Regional Counsel representatives assigned to the MMI project team. The reports will be finalized after the project/inspection team members have had an opportunity to review draft versions of the reports.

DOCUMENT CONTROL PROCEDURES

Copies of documents and records obtained from the company during the inspection will be recorded in document logs. A photograph log will also be maintained, in the event that photographs are taken. A copy of the document and photograph logs will be offered to the company after completion of the inspection. Any documents or photographs claimed as confidential business information pursuant to 40 CFR Part 2 will be so noted on the logs and properly secured.

SAFETY PROCEDURES

Safety procedures contained in the Region 5 Health and Safety Manual - R 1440 (May 2000 edition) will be followed during the on-site inspection. The company's safety and health policies will also be discussed and followed.

TENTATIVE SCHEDULE

The following schedule identifies dates and, where appropriate, starting times for activities associated with the MMI.

Date	Time (ET)	Activities
3/21/06		Inform facility of MMI [Completed]
3/28/06	8:30 AM	Conduct opening meeting at the facility and discuss/tour plant operations
3/29/06		Initiate CAA, CWA-NPDES and RCRA* inspection activities
3/30/06		Complete CAA, CWA-NPDES and RCRA* inspection activities and discuss preliminary CAA, CWA-NPDES and RCRA* inspection findings with facility representatives
4/4/06	1:00 PM	Perform CWA-SPCC inspection activities and discuss preliminary CWA-SPCC inspection findings with facility representatives
4/5/06	8:30 AM	Perform EPCRA/CERCLA screening inspection activities and discuss preliminary EPCRA/CERCLA inspection findings with facility representatives

INSPECTION TEAM

Listed below are the Region 5 inspection team members and the reports they are responsible for completing:

John Gierczak	Completion of the interim MMI report with input from the project team members. Completion of the executive summary for the final MMI report
Farro Assadi	Completion of the technical report for the CAA inspection
Jenny Davison	Completion of the technical report for the CWA-NPDES inspection

Phillip Wicklein

Completion of the technical report for the CWA-SPCC inspection

Duncan Campbell*

Completion of the technical report for the RCRA* inspection

George Rancich
and
William Sandstrom

Completion of the technical report for the EPCRA/CERCLA inspection

**It is suspected that the facility may be a conditionally exempt small quantity generator of hazardous waste. To ensure the efficient use of inspection resources, information provided by the facility and field observations made during the first day of the MMI will be used to determine whether RCRA Subtitle C inspection activities will be performed by the program assignee.*

PROJECT PLAN MODIFICATION

This project plan is subject to modification depending upon conditions encountered in the field and other circumstances.



BARBARA
CARR/R5/USEPA/US
Sent by: Barbara Carr

01/30/2006 03:23 PM

To John Gierczak/R5/USEPA/US@EPA

cc Phillip Wicklein/R5/USEPA/US@EPA, Beverly
Kush/R5/USEPA/US@EPA

bcc

Subject Re: Multimedia Inspection - Cargill Salt

Hi John

That inspection will go to Phil Wicklein since Michigan is in his "turf." Please send him and me all information. If you can get us an "advance" copy of the SPCC plan, that helps.

hope all is well with you!

Barbara A. Carr, Ph.D.
SPCC Coordinator
312.886.7187
carr.barbara@epa.gov
U.S. EPA, R5, SE-5J
77 W. Jackson Blvd.
Chicago, IL 60604

-----John Gierczak/R5/USEPA/US wrote: -----

To: Barbara Carr/R5/USEPA/US@EPA
From: John Gierczak/R5/USEPA/US
Date: 01/25/2006 03:32PM
Subject: Multimedia Inspection - Cargill Salt

ENFORCEMENT CONFIDENTIAL

Hi Barb!

The ECAT has requested that a multimedia compliance inspection be performed at:

Cargill Salt, Inc.
916 South Riverside Avenue
St. Clair, Michigan

The Region conducted a multimedia screening inspection at this facility in January of 2003, as part of the Southeast Michigan Flyway Initiative. Based upon information reported for the 2003 visit, it appears the facility is subject to the SPCC regulations.

The upcoming inspection is scheduled to be performed during the weeks of March 27 and April 3, 2006. Should you, or anyone in your group, wish to participate, please let me know. In the event that your program does participate, the on-site inspection activities related to the SPCC program would probably be scheduled for April 4 or 5.

I plan to perform a regulatory file review at the MDEQ's Southeast Office in February or early March. If there is any SPCC/PIP information in the files, I could share it with you prior to the inspection.

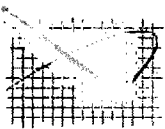
Hope all is well....

regards, john

Phillip
Wicklein/R5/USEPA/US
01/31/2006 10:43 AM

To BARBARA CARR/R5/USEPA/US
cc Barbara Carr/R5/USEPA/US, Beverly
Kush/R5/USEPA/US@EPA, John
Gierczak/R5/USEPA/US@EPA
bcc
Subject Re: Multimedia Inspection - Cargill Salt

John: Pick a day for the SPCC inspection at Cargill, and let me know what day that will be as soon as possible. I will then set up other inspections on the days around your inspection day to economize on our inspection time and costs. I have a couple of inspections I can do in the Detroit area, and I'm sure I can find some more between here and Detroit. Thanks, and I'll try and not leave my coveralls behind. Phil
BARBARA CARR/R5/USEPA/US



BARBARA
CARR/R5/USEPA/US
Sent by: Barbara Carr
01/30/2006 03:23 PM

To John Gierczak/R5/USEPA/US@EPA
cc Phillip Wicklein/R5/USEPA/US@EPA, Beverly
Kush/R5/USEPA/US@EPA
Subject Re: Multimedia Inspection - Cargill Salt

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Hope all is well....

regards, john



Image © 2006 DigitalGlobe

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Pointer 42°49'08.51" N 82°29'07.38" W elev 578 ft

Streaming ||||| 100%

Eye alt 22161 ft

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
OIL PLANNING AND RESPONSE SECTION (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60604

ACKNOWLEDGEMENT AND RECORD OF SPCC INSPECTION/PLAN REVIEW

INSPECTOR/TITLE: (1) Phillip Wicklein / SPCC Inspector

INSPECTOR/TITLE: (2) _____

FACILITY NAME: Cargill Salt

STREET: 916 South Riverside Avenue

CITY: St. Clair COUNTY: St. Clair STATE: MI ZIP: 48079-5335

FACILITY CONTACT/TITLE: _____

TELEPHONE NUMBER: () _____ INSPECTION DATE: April 4, 2006

LATITUDE: _____ LONGITUDE: _____

OWNER/OPERATOR: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ TELEPHONE NUMBER: () _____

Is this facility required to have an SPCC Plan? Y / N

During this inspection a copy of the facility's SPCC Plan was made available for in-house review by the Inspector. Y / N

A copy of the SPCC Plan was provided to the inspector. Y / N

If *not*, a copy of the SPCC Plan will be forwarded by certified mail, return receipt requested, within 14 days to SPCC Inspector (1) at the address on this letterhead.

Any future questions should be addressed to the inspector(s).

ACKNOWLEDGEMENT

I acknowledge that an SPCC inspection was conducted at this facility on April 4, 2006, and I acknowledge that I received a copy of 40 CFR 112, contained within the information packet.

Facility Signature: _____ (Printed name): _____

Title: _____

Inspector's Signature: _____ (Printed name): Phillip Wicklein

(ORIGINAL TO SPCC INSPECTOR, COPY TO FACILITY REPRESENTATIVE)

SEP 19 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SE-5J/OPRS-SPCC
06-010

Mr. Donald Chutas
Plant Manager
Cargill Salt
916 S. Riverside Avenue
St. Clair, Michigan 48079

Dear Mr. Chutas:

After review of the revised Spill Prevention, Control and Countermeasure (SPCC) Plan (certified by David A. Lomas, 43178 MI, on August 29, 2006), it appears that your facility has met the minimum requirements of the Code of Federal Regulations (CFR), Title 40, Part 112 at this time.

We would like to remind you that the facility's plan should be reviewed every 5 years. Any material changes made in the facility's design, construction, operation or maintenance which affect the facility's ability to store or discharge oil into navigable waters of the United States, should be amended in the SPCC plan and certified by a registered Professional Engineer (PE).

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002. U.S. EPA further amended the regulation to extend the date for compliance with the requirements of Part 112.3 of the regulations to allow facility owners sufficient time to undertake the actions necessary to prepare and update their plans. The compliance date for both Plan amendment and implementation has been extended to October 31, 2007. Facilities that start operations between August 16, 2002 and October 31, 2007, must prepare and implement an SPCC Plan by October 31, 2007.

If you have any questions, feel free to contact Phillip Wicklein, SPCC Inspector Grantee, at 312/886-0185.

Sincerely,

William J. Bolen, Chief
Emergency Response Branch #1

Enclosure (Returning your SPCC Plan)

cc: Michigan Department of Environmental Quality

BAC
9/12/06

BAC
9/15/06

Yellow

PAW 9-12-06

bcc: Yellow

Blue

mdadamo/6-5905/9-11-06/zip disk/cargillsaltminreq